

00118

1 SOUTHEAST ALASKA SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL

3
4 Public Meeting
5 Hydaburg, Alaska
6 October 12, 2000

7
8 Volume II

9
10 MEMBERS PRESENT:

11
12 William Thomas, Chairman
13 Dolly Garza, Vice-Chair
14 Bert Adams
15 Floyd Kookesh
16 Clarence "Butch" Laiti
17 Richard Stokes
18 Mary Rudolph
19 Patricia Phillips
20 Michael Douville
21 Marilyn Wilson
22 John Littlefield
23 Harold Martin
24
25 Fred Clark, Coordinator
26
27 Susan Reilly, Recorder

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P R O C E E D I N G S

(On record)

CHAIRMAN THOMAS: Madame -- Grand

President, welcome to our meeting, Jackie Martin. I'm hoping she confuses me with Harold but she's always figured us out. Jackie is the Grand President of the Alaska Native Sisterhood and they have a convention. She's also an employee of the Bureau of Indians Affairs, Juneau. And in her spare time, she runs around trying to keep us straight, so we appreciate that.

Today we were scheduled to go into Tab D, land with proposals. We've had a request from some more members of the public and as I mentioned earlier, that we adjust our agenda as we do it to accommodate people who have pressing commitments elsewhere and they take their time to come here and as to contribute information to us to help us better serve as representatives. And when we get started, I've asked Dolly, the Vice-Chairman, to assume the Chair. From that point on I will introduce the first speaker and her discretion will be the rule of the day after that so long as she has the Chair. And I will give my discretion on getting it back when you try to give it back to me. So having said that -- I say that because Dolly's a very capable, able person as the rest of the members of the Council are. We're very fortunate to have the caliber of people on this Council that we have as well as the region we serve. The people of this region really know their business in the issues that we talk about. Everybody is -- are active participants and everybody wants this to work. Everybody wants the best we have for our resources.

So having said that -- I say that because some of you have never been to these meetings before. Having said that, Matthew Carle made a request to offer some testimony underneath the public comment portion, which is up in seven. He's got other things to do, he's an active fisherman and I assured him that we'd get him on so that he can go on with his other commitments. Following that, Steve Dilts wants to do some follow-up on what he gave us yesterday. So with that, Madame Chairman.

MR. MARTIN: Madame Chairman?

VICE-CHAIR GARZA: Harold.

MR. MARTIN: If I may have a minute. Thank

50 you. Yesterday I gave you a report on halibut as a

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1 subsistence resource and I forgot my Native protocol. And
2 if you'll remember, I came to you last year for support on
3 the halibut issue and the year before and you supported me
4 the year before by resolution and last year by letter. And
5 I forgot to thank the Council for this and I'm sorry -- on
6 behalf of the Alaska Native Subsistence Halibut working
7 group, I thank the Council for your support.

8

9 VICE-CHAIR GARZA: Thank you, Harold.

10 Matthew?

11

12 MR. CARLE: First of all, I'd like to thank
13 you guys for letting me get up and speak again. I would
14 have been to the meetings here yesterday but we're getting
15 ready to go shrimping on the Chalmer's (ph) side. Which,
16 you know, it's a big part of our season in shrimping. But
17 I heard some stuff that was going on yesterday about having
18 Cordova Bay closed for commercial fishing. We've been
19 going through this for the last couple of years now and
20 stuff but to tell you the truth, you know, Hetta Lake is
21 building up every year. Not because of just the management
22 of Fish and Game but the joint forces with Canada and the
23 treaty with the U.S. on keeping the area closed out on
24 District 4. I think this year they might have fished maybe
25 the total of seven or eight days out there. It could be
26 more but we never fished out there but the whole month of
27 July out in District 4. So that makes our local runs get
28 stronger as it is.

29

30 And I'd also like to thank the fish hatcheries for
31 pushing all the boats up North where we did go up to target
32 the dog salmon and stuff which is helping our local runs
33 down here build up too. But what Victor Burgess wrote a
34 letter on August 14th to the Forest Service, stating -- he
35 asked -- he wanted emergency closure of Cordova Bay. I
36 have a fish ticket here in my hand for August 11th at Eek
37 Point about six miles down here and probably three miles
38 from Hetta Inlet where the sockeyes are. I have a total of
39 63,000 pounds of pink salmon; I got 6,000 pounds of dogs
40 and I got 405 pounds of sockeye and they're saying that
41 we're killing off the sockeye. Let's get real, you know.
42 The fishermen want it out there. Even the City of Hydaburg
43 is saying that we're killing off the run.

44

45 We had a meeting last night with the IRA Council,
46 which I am on and my son's president of IRA Council, he's
47 also a commercial fisherman. And in our constitution it
48 says we're -- it states right in there that we have to be
49 -- belong to the -- affiliated with fishing in order to

50 even be in the IRA. So we have 500 and some members; we

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1 might not be speaking for them all but we're speaking for
2 most of them. And we got the wishes of the Council to talk
3 today about this in opposing of what these people are
4 trying to do. Every one of my crew member are 100 percent
5 from Hydaburg. Every one of my boys is 100 percent from
6 Hydaburg. We bring a lot of money into this community.
7 Between my two boats, we bring more -- we pay out more
8 money than what the City pays out for the whole year to
9 their employees. That's how important it is for the
10 fishing. I talked to you guys yesterday about -- a little
11 about the land claims and stuff like that. Everything
12 depleting and stuff like that. I keep telling these young
13 kids, you guys can't be longshoremen much longer, you're
14 going to end up fishing. I talked my nephew into going out
15 shrimping this year so he could support himself. I said,
16 if you plan on living here in Hydaburg, you got to get back
17 into fishing, that's all to it. So he did, he's happy now.
18 He paid for his pots this year; next year he'll be making
19 money.

20 But I can't support what these people are trying to
21 do -- that's wrong. That's wrong for our people. We're
22 built around fishing. We're not loggers; we're not
23 longshoremen -- eventually everybody's going to go back to
24 fishing. Our local people are just taking too much
25 subsistence fish out of sockeye -- down at that sockeye
26 creek. They're bringing in four or 500 sockeye at a time.
27 We try not to say nothing -- I'm a commercial fisherman, I
28 got enough to eat and that's it. They get enough, they
29 want to go barter it someplace. And then they're the ones
30 that are talking about no sockeye down there. That's the
31 people that are talking about it. Their families take out
32 the sockeye, bring it and sell it and barter it. We don't
33 do that; we take enough to feed ourselves and that's it.
34 So what these people are trying to do is wrong. And on
35 behalf of the Haida Nation, we oppose of what they say.

36
37 And I'd like to thank you guys for letting me speak
38 because I got to go out and go fishing. We make about
39 \$3,000 a day shrimping when I'm shrimping and it already
40 cost me a couple days just being here. But that's how
41 important it is for me to talk today. But like I said, I
42 do thank all the fish hatcheries and stuff for pulling all
43 the boats up North. I fished up in Hidden Falls; I fished
44 up in Deep Inlet. And that one year I fished on there I
45 think there was like two or three -- maybe one boat outside
46 the whole island fishing for the whole opening, you know.
47 Everybody wants to go fish dogs because that's where the
48 money is. So it is helping our local runs, you know, was
49 just to join forces between Canada and U.S. And then for

50 them people to come up and publicly say that there's no

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1 fish in the community and I got a fish ticket here saying
2 three days before that I ended up with a deck load before
3 10:30 in the morning. That same day, my son was down in
4 Naktroy (ph). He made one set for 30,000 fish and there is
5 an estimated over 200,000 fish up inside the markers there.
6 And there's probably more running there after the closure
7 too.

8
9 So, you know, it just speaks for itself. They're
10 just speaking, you know. This fish ticket speaks for
11 itself, that there is fish in the bay. And, you know, I
12 can't say close down the bay because we belong to the IRA,
13 that's against our constitution, doing that.

14
15 And I'd like to thank you guys again. Thank you.

16
17 MR. MARTIN: Matthew. Matthew, could you
18 give me those numbers again, please on the poundage?

19
20 MR. CARLE: I'll give this.....

21
22 MR. MARTIN: Okay.

23
24 MR. CARLE: I'll just give you my fish
25 ticket.

26
27 MR. MARTIN: Okay, thank you.

28
29 CHAIRMAN THOMAS: Thank you, Matthew.

30
31 MR. DILTS: My name is Steven Dilts. I'm
32 at the Klawock ANB Hall, myself and Ted Peel (ph) was
33 elected to the fish task force. I work with Mac Demmert
34 and also Rose Demmert and Mr. Bob Newcomb from Craig. And
35 I'd like to thank Mr. Carle for his testimony. Also the
36 Hydaburg Cooperative Association IRA. What stronger
37 testimony can we get than having our IRA speak about
38 fishing and the rights thereof? The other day I was
39 talking to Mr. Thomas and he asked me to write a letter to
40 the State and also include this esteemed Council on
41 subsistence. Contrary to what Mr. Carle was saying, I'm
42 not saying shut it down. The only issue I was talking
43 about yesterday was the markers. And also the fish
44 disaster problem that Craig and Klawock and Hydaburg had
45 met several times up there with the support of Jerry Mackie
46 and Mr. Alburn (ph) Kookesh.

47
48 The two letters I'm submitting here as evidence in
49 maintaining our fish subsistence lifestyles that you all

50 represent -- every one of you represent Title VIII of

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1 ANILCA. Fish subsistence rights -- fishing for our
2 villages and our tribes. I see Mr. Douville here and
3 you're here for that reason. I'm presenting a two-part
4 letter addressing the fish lifestyle. Maybe -- and also a
5 fish disaster resolution 00-08 that the whole city council
6 of Hydaburg has signed into resolution addressing the
7 economics of Hydaburg. Mr. Carle testified that he's a
8 fisherman and he's making a living at it and I'm happy for
9 him. But that doesn't omit the rest of Hydaburg. And I
10 have a longstanding family here that have been fisherman
11 and I have worked in the Hydaburg cold storage before it
12 got shut down. It ended up in Judge Jahnke's court for
13 going on 11 years and it still doesn't operate today. I
14 was a floor boss down there, I was happy down there. I was
15 happy with the work that I had in the fishing industry and
16 I was happy working for our community -- it involved our
17 IRA at the time, the Cooperative Association. And it took
18 a lot of years to get that cold storage back out of the
19 court system.

20
21 Mr. Carle addressed his hard work and the fruits of
22 his labor, I'm happy for him but I'm talking about the rest
23 of the Hydaburg people. The Hydaburg Cooperative
24 Association represents a part of our heritage and I'm happy
25 for that. But right here, Mr. Thomas asked me to address
26 two letters addressing the fish markers at Hetta Inlet in
27 Eek and Kashook (ph). I believe it involves not only
28 maintaining those markers at a reasonable -- reasonably
29 outside of the mouths of the sockeye streams to protect
30 what we have. I have some statistics here from the Fish
31 and Game that -- in '98 in District 3 there were 17,455
32 sockeye taken. In '98, District 4, 408,230 sockeyes.
33 Almost a half a million sockeyes. In District 3 there was
34 -- in '99 there was 7,956 sockeyes. Finally, all the way
35 up to the year 2000, District 4, 227,039 sockeyes. It also
36 addresses king salmon, coho, pink, chum and this is at your
37 disposal. All these fish are being caught and we're
38 addressing a subsistence lifestyle. I believe in order to
39 maintain that, this year alone there was half the fish
40 taken that was taken previously in the prior years. And a
41 lot of the fishermen aren't making it.

42
43 I'm glad Mr. Carle is catching his quota and
44 maintaining a commercial lifestyle. He didn't address the
45 subsistence, he probably got his share. But at this time,
46 there are two letters addressed to the Commissioner of
47 Department of Fish and Game which will be copied to the
48 Governor. And there's another letter addressing the fish
49 disaster problem that the whole Council of Hydaburg -- the

50 City of Hydaburg -- has signed into resolution which I'll

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1 present to Mr. Thomas and his Council. And I thank you for
2 the time to testify. I'm not for shutting down the
3 fishing; I'm for maintaining markers outside of the sockeye
4 streams so that the fish can build up. In that one year
5 they only topped -- in '98 they only topped -- here are the
6 figures here. In '99 in District 3 they only topped 7,956
7 sockeyes. There was a drastic slump. At this time
8 Klawock, Craig and Hydaburg considers it to be a fish
9 disaster. I'm sure Mr. Mack Demmert can testify to that.
10 Mr. Bob Newcomb from Craig, Alaska. And I just thank you
11 guys for coming here at this time. Thank you.

12
13 MR. DOUVILLE: I got a question.

14
15 VICE-CHAIR GARZA: Okay, Steve, he has a
16 question for you.

17
18 MR. DOUVILLE: You're addressing two
19 issues. One, the Federal disaster money and at the same
20 time you're addressing subsistence conservation. Is that
21 correct?

22
23 MR. DILTS: Yes. And it's all presented in
24 the letter here with backup data recognized by the Federal
25 and the State court systems. The vital data and there's
26 some scientific data addressing that.

27
28 MR. DOUVILLE: Okay, so you're saying
29 commercially that it was a disaster but you're also saying
30 it was a disaster subsistence-wise also?

31
32 MR. DILTS: Yes. Yes.

33
34 MR. DOUVILLE: So many people didn't get
35 their fish or.....

36
37 MR. DILTS: Well there's competition
38 between commercially fishing when you open up a sockeye
39 stream all the way up to the mouth and they're able to go
40 in there and catch sockeyes, the subsistence people have
41 competition to bring home the fish to the families.

42
43 MR. DOUVILLE: I guess specifically then,
44 subsistence-wise, do you think that people in Hydaburg did
45 not get enough fish?

46
47 MR. DILTS: I think there are a few --
48 there are several times that I went out that it was hard to
49 catch a few sockeyes.

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1 MR. DOUVILLE: Thank you.

2
3 MR. DILTS: Thank you.

4
5 MS. WILSON: And I have a question.

6
7 VICE-CHAIR GARZA: Marilyn?

8
9 MS. WILSON: Is this on State land or State
10 waters? I get confused because yesterday, you know, there
11 was talk and reports on this area and some of it was on
12 State and I have that thing up in Haines, I'm on mostly
13 State land.

14
15 MR. DILTS: Yeah, Well, this vital data
16 was presented by -- through the fish task force by the Fish
17 and Game that keep records of catches and it's all here in
18 the format to present its State records. And it also --
19 there's the issue of rights within the fresh water and
20 outside in the -- I believe that's one of the reasoning for
21 having those fish markers, that the commercial fishermen
22 can fish outside of the fish streams. So that's one of the
23 reasoning for having the markers there. And if by State
24 law the Fish and Game say you can move the markers all the
25 way up to the mouth of the creek, there's a little gray
26 area of jurisdiction there but if they move them up then
27 there's -- the commercial fisheries people can go in there
28 -- the fishing boats can catch the fish that are trying to
29 go and spawn. All I'm stating is the subsistence rights
30 that you represent, that you're taking our testimony and
31 then you guys recommend to the Feds that, you know, certain
32 people gave testimony about subsisting.

33
34 All I'm saying is if we maintain the markers
35 outside of the mouth of the creek then the creeks are going
36 to have more salmon coming back so we can subsist, giving
37 them the right to build up stock. Each time -- in '98 when
38 they opened up the sockeye streams up to the mouth of the
39 creek, they got 408,230 and in the previous year there was
40 a slump of 7,956 sockeye. The next year the catch was
41 lower. And that's all we're stating it for the --
42 maintaining the markers and then addressing the fish
43 disaster. While, Mr. Carle isn't having a fish disaster,
44 that's better for him.

45
46 VICE-CHAIR GARZA: Okay, Bert?

47
48 MR. ADAMS: Mr. Dilts, like Marilyn here,
49 I'm kind of confused, you know. Is this area that you're

50 talking about, is it within State jurisdiction or Federal

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1 law and jurisdiction?

2

3 MR. DILTS: Well when the State moved the
4 markers up in there toward the mouth of the creek, I guess
5 they had the power to do that. But I believe it does
6 address fishing rights within the community of Hydaburg but
7 also State and Federal. There's a fine line there.

8

9 MR. ADAMS: And we could say, what you're
10 asking for us to do then is to support your letter.

11

12 MR. DILTS: Fish disaster and the fish
13 marker maintained.

14

15 VICE-CHAIR GARZA: I think there's -- yeah,
16 there's two things, Bert, is that we would write a letter
17 of support to support their resolution declaring a disaster
18 for this area for fishing.

19

20 MR. DILTS: Yeah.

21

22 VICE-CHAIR GARZA: Secondly, it's going to
23 take action first on you but to submit a proposal to the
24 Board of Fish regarding markers for Hetta.

25

26 MR. DILTS: Yes.

27

28 VICE-CHAIR GARZA: And that would be
29 something that we could write a letter of support from.

30

31 MR. DILTS: Yes.

32

33 VICE-CHAIR GARZA: But the concern we have
34 is whether or not -- is as a council, we haven't seen a
35 good map of Hetta and we don't know where those markers are
36 and so we kind of need to get a better feel for that. I
37 don't know if there's a good map around here that we can
38 access.

39

40 MR. CLARK: Madame Chairman?

41

42 VICE-CHAIR GARZA: Fred.

43

44 MR. CLARK: You're right, there is a couple
45 of different issues and it's definitely that the upstream
46 part is under Federal jurisdiction and that the saltwater
47 down from the mouth is the State jurisdiction. There's not
48 a lot that the Council can do directly with relation to
49 that. The district -- the Forest Service, who is

50 responsible for the upland parts, has a draft map showing

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1 where we think the jurisdiction line is at the mouth of the
2 stream. And we have that available -- we can show to
3 folks.

4
5 UNIDENTIFIED SPEAKER: I don't have it here
6 with me.

7
8 MR. CLARK: We don't have that available
9 but it's right at the mouth of the stream. So, you know,
10 out from the mouth where the markers are, that would have
11 to go the State Board of Fish.

12
13 MR. DILTS: In order to move the markers
14 though there has to be some cooperation between the State
15 and the Feds regarding moving the Federal markers that are
16 posted. It takes cooperation with the State (indiscernible
17 - interrupted).

18
19 MR. CLARK: Those are State markers. Those
20 are State markers.

21
22 MR. DILTS: Those are State markers.

23
24 VICE-CHAIR GARZA: But his point is, if
25 they go so far up, are the hitting Federal land.

26
27 MR. DILTS: Yeah, right.

28
29 MR. CLARK: Right. Right.

30
31 MR. DILTS: Yeah, yes.

32
33 MR. CLARK: Exactly.

34
35 MR. DILTS: That's all I'm addressing.

36
37 MR. CLARK: That's the question.

38
39 MR. KOOKESH: Madame Chairman?

40
41 VICE-CHAIR GARZA: (Indiscernible).

42
43 MR. KOOKESH: I'd like to -- I understand a
44 letter is going to Commissioner of Fish and Game?

45
46 UNIDENTIFIED SPEAKER: Yes.

47
48 MR. KOOKESH: I'd like to be able to
49 receive a copy of his answer.....

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1 UNIDENTIFIED SPEAKER: Okay.

2

3 MR. KOOKESH:from the -- when you do
4 receive a copy, I'd like to get a copy too to see what the
5 intent of the markers are and what the justification for
6 moving the markers is. Because it sounds to me like there
7 needs to be some kind of cooperative management in that
8 area.

9

10 UNIDENTIFIED SPEAKER: Yeah.

11

12 MR. KOOKESH: And I'd like to know what the
13 intent is and -- originally what the intent is and what the
14 justification of moving them is. I'd like to see what that
15 answer would be for our information.

16

17 VICE-CHAIR GARZA: Right, you're from the
18 Commission?

19

20 MR. KOOKESH: Yeah, we're on a learning
21 curve here too.

22

23 MR. ADAMS: Madame Chairman.

24

25 VICE-CHAIR GARZA: Okay, Butch first and
26 then Bert.

27

28 MR. LAITI: Is this the same sockeye river
29 (indiscernible - away from microphone)?

30

31 MR. DILTS: Hetta Inlet.

32

33 CHAIRWOMAN GARZA: He talked about
34 (indiscernible).

35

36 MR. LAITI: The (indiscernible - away from
37 microphone) 200,00 sockeyes?

38

39 MR. DILTS: At one time.

40

41 MR. LAITI: (Indiscernible - away from
42 microphone).

43

44 MR. DILTS: Yeah, and I think that I'd like
45 to look at any vital data the State has or the Feds have to
46 make sure that that's accurate but in the '99, there was
47 only 7,956 sockeye caught in this area. And in '98 there
48 was 408,230 caught and then the slump in '99 shows that
49 there was an impact.

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1 VICE-CHAIR GARZA: Well, part of that is, I
2 know, is because of treaty issues where some of those
3 sockeye are going to Canada and so we can't assume that
4 that whole decline is because of local sockeye stocks
5 but.....

6
7 MR. DILTS: Yeah, after that commercial
8 opening we went out there to try to catch our subsistence
9 and there was -- pretty tough, you know. And I don't
10 think, you know -- but at one time -- well, I'll give you a
11 for instance, on the Kasook used to have one of the biggest
12 runs in this area. Kasook River by Jackson Island. And
13 that river was -- there was basically a fish trap there.
14 And there was so much sockeye caught, you know, it took
15 years to build up after that. And if we don't try to
16 protect what we have in this vicinity, in our local
17 community, and try to get -- figure out exactly why there's
18 such a big slump. Klawock and Craig and Hydaburg are
19 addressing that right now.

20
21 VICE-CHAIR GARZA: Right.

22
23 MR. DILTS: And that's the reasoning for
24 this Council.

25
26 VICE-CHAIR GARZA: Okay, we have some other
27 public that would like to testify.....

28
29 MR. DILTS: Okay.

30
31 VICE-CHAIR GARZA:and so.....

32
33 MR. DILTS: Who do I give this to?

34
35 VICE-CHAIR GARZA:while the --
36 Bert.....

37
38 MR. ADAMS: Okay, I have a question for Mr.
39 Dilts. In regards to your disaster request.....

40
41 VICE-CHAIR GARZA: Wait, before that, Bert,
42 I'm sorry. Who turned on the -- what was it, the breaker
43 -- this went out. Someone turned it on. We need it to go
44 back on because it went out again.

45
46 (Conversation regarding breaker/coffee pot)

47
48 VICE-CHAIR GARZA: Okay, Bert, Butch and
49 then we need to get on with other public testimony.

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1 MR. ADAMS: I have a question in regards to
2 your disaster -- is that in the form of a resolution
3 or.....

4
5 MR. DILTS: Yes, I've got a copy here.
6

7 MR. ADAMS: I'd like to see a copy of that
8 (indiscernible - background noises). Let me warn you
9 against something, we submitted from Yakutat, you know, a
10 disaster resolution a couple times and one of the things --
11 and we got turned down, you know, every time. And the
12 thing that the State did is they took -- they took half the
13 income of all of Yakutat including all of the State and
14 Federal employees and the people who had State jobs and,
15 you know, it turned that half the income for the whole
16 community of Yakutat was about \$38,000. (Indiscernible) of
17 the commercial fisherman in that particular year had a hard
18 time even clearing \$8,000. And so, you know, I think that
19 needs to be carefully made clear that it's a fisheries
20 problem and not a community problem.

21
22 MR. DILTS: Yeah. Yeah.
23

24 VICE-CHAIR GARZA: So Bert, maybe you can
25 work with Steve with that on break.

26
27 MR. DILTS: Okay. Okay, thanks.
28

29 VICE-CHAIR GARZA: Butch.
30

31 MR. LAITI: Just suggesting that we get a
32 history of (indiscernible - away from microphone).
33

34 MR. DILTS: Yeah.
35

36 VICE-CHAIR GARZA: Right, so we need to
37 pull some information together. And then to Mike.
38

39 MR. DOUVILLE: I just have a brief comment
40 on the subsistence part of it. I'm hearing from you that
41 you're not getting enough fish and I hear from other people
42 that they are getting plenty. Like Matthew just said,
43 three or 400 hundred at a time some days so, that's quite a
44 bit of fish.

45
46 MR. DILTS: Yeah, well that's.....
47

48 MR. DOUVILLE: So I suspect there's some in
49 between.

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1 MR. DILTS: Yeah, there might be, you know,
2 I can say that but that would be hearsay. But I think
3 that.....

4
5 MR. DOUVILLE: I guess what we would need
6 to see is something.....

7
8 MR. DILTS: The facts.

9
10 MR. DOUVILLE: Real figures.

11
12 MR. DILTS: Okay. Thank you.

13
14 VICE-CHAIR GARZA: Okay, we have at least
15 one public testimony that's just dying to get up here so we
16 can continue questions.....

17
18 MARY: Thank you.

19
20 MR. DILTS: Thank you.

21
22 MARY: I need to ask them to maybe include some of
23 the other villages on putting this disaster fund together.

24
25 VICE-CHAIR GARZA: I don't think we can --
26 I think you have to do it specifically, so.....

27
28 MARY: I know, I mean use the example so the --
29 like for our village, we're asking for disaster funds but
30 we need kind of like a guide for our village because --
31 well, like now we asked for a loan and our loan was turned
32 down because of poor fishing season. So I think -- I think
33 there's going to be more than one village that's going to
34 really be feeling the pinch. So maybe if they can get the
35 letters out to the other IRAs so that they can kind of have
36 something to work with as they go into this too.

37
38 VICE-CHAIR GARZA: Okay, so -- well, I
39 would say probably Hydaburg is not the best person to do
40 that since they're in the process. But if Yakutat has done
41 that, maybe if you could share some of your documents with
42 the Council, then that could get out because that's a
43 separate issue from Hydaburg.

44
45 MR. ADAMS: Madame Chairman.

46
47 VICE-CHAIR GARZA: Bert.

48
49 MR. ADAMS: I do have a resolution

50 (indiscernible) and it's asking for disaster funds but, you

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1 know, this is pretty (indiscernible) too so I'm going to
2 have to get together with Mary when it comes in and see if
3 we can get this changed because it only addresses a crab
4 fishery, not salmon.

5
6 VICE-CHAIR GARZA: Okay, so when I look at
7 you and say Matthew, you know I mean Floyd, right?

8
9 MR. KOOKESH: I think -- I've have an
10 opportunity to chair many meetings and I think it's very
11 important, Madame Chairman, that -- to not interrupt the
12 person speaking. That it's important to raise your hand to
13 be recognized before you can begin to speak. I think it's
14 very important that we exercise some protocol.

15
16 VICE-CHAIR GARZA: Okay, thank you Floyd.
17 Matthew.

18
19 MR. CARLE: I would just like to testify on
20 what's the mayor of Hydaburg just has to say. In one
21 sentence he said 7,000 sockeye and the next sentence he
22 said 7 -- 40,000 -- I mean, 400,000 sockeye in front of the
23 creek. But before that he said 400,000 sockeye outside of
24 District 4. That 400,000 sockeyes, I don't want you guys
25 to get the misunderstanding that it all goes to Hetta.
26 Most of that sockeye goes down to Skeena River and down
27 farther down by the Fraser River in Canada. That's how
28 come I said before that the treaty is helping us. You
29 know, he comes out with them figures -- every year we have,
30 I think it was around the 28th of July, that's when we can
31 start fishing out there. But before that we're allowed
32 sometimes a six hour opening so, you know, they are looking
33 out for our resources and stuff but Steve said that though,
34 you know, mentioned 400,000 sockeye by Hetta Creek -- I
35 wish that was the case, you know, then we wouldn't be here
36 then. You know, if there was that much sockeye there.

37
38 So I just want to clarify that that 400,000 sockeye
39 don't all go into Hetta. And speaking on behalf of the
40 disaster fund or what they're trying to get -- I support
41 that for the trollers, not for the seiners in Hydaburg. I
42 do not support it for the seiners in Hydaburg but I do
43 support it for the trollers. There was no cohos this year
44 up and down the coast unless you had to go away from home
45 up to Sitka and places like that. And a lot of our people
46 don't have that size of boats to go up there. But I do
47 support the -- that -- what they're going to do but, you
48 know.

49

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1 usually don't open up around the sockeye streams if there's
2 a lot of sockeye in there. And I want to speak a little
3 about the markers and stuff, too. Last year they had that
4 first opening and we were all fired up, we thought that we
5 were going to go get some sockeye, you know, those sockeyes
6 they're the heart of the fishermen, you know. I mean
7 sometimes we go out there and fight a 40, 50 mile an hour
8 gale just to go get sockeye. So anyway, my boy was first
9 up in the morning, I said well I'm not going to be there,
10 there's going to be too many boats, they might be ramming
11 into each other and I don't feel like doing that today, you
12 know. So I just went out by my own. And that's when I was
13 fishing Eek Point. But they did open up that area for
14 sockeye and it was probably, I would say, I don't know,
15 maybe a half a mile from the mouth of the stream -- is
16 where the markers. And he made himself -- you know, I
17 said, how did you do son? He said, I got six. So I left
18 it at that. We came home and somebody heard us on the
19 radio, he had six hours of sockeye. He didn't have six
20 hours of sockeye; he had six sockeye.

21
22 So, you know, the management is doing that so. You
23 know, but I wanted -- just wanted to make a clarification
24 on the 400,000 though because it don't all go to Hetta, it
25 goes to the Skeena River and the Fraser River and it goes
26 to Nelson (indiscernible) out there, so. Okay, thank you.
27

28 VICE-CHAIR GARZA: Thank you, Matthew. I'd
29 like to say something. In terms of what this Council can
30 do -- is provide support where we think we can provide
31 support. And that's the kind of thing that I think we're
32 good at. And I would hope that the support that we offer
33 to the Alaska Native Halibut Task Force was helpful to
34 getting subsistence for halibut. And Harold thanked us for
35 that. That's the kind of thing that we can do, is to offer
36 support. And in many instances, it may be us as Council
37 members that sit down with Steve and say, okay if you want
38 to do a disaster proposal, this is what it's going to take.
39 Because we have seen in other areas in the State where
40 those disaster requests have been denied. The Kenai was
41 denied because they said -- I don't even -- I forget. They
42 make too much money or it wasn't really a disaster or
43 whatever.
44

45 And so as Council members, if we have that
46 expertise we need to offer that individually. But in terms
47 of moving those markers, if that's a necessity, that of
48 course has to go through the Board of Fish, and the Council
49 in due diligence needs to see that map and needs to see

50 those numbers. And so in terms of you sitting there

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1 watching us hear testimony, we're not going to jump up and
2 take any kind of action that would go in either direction
3 right now. First of all, the proposals for fisheries --
4 for subsistence fisheries can't be submitted until January.
5 So we're not going to do anything behind your back between
6 now and then. If we can offer some support in some way
7 between now and then so that you can submit better
8 proposals to the Board of Fish or to this Council, then we
9 would be glad to assist with that.

10
11 In terms of proposals, one of the points that I
12 wanted to make, I've heard several comments saying, well, I
13 don't want to submit a proposal if it doesn't pass. And
14 that's the wrong approach. Sitka Tribe has submitted
15 probably 20 proposals and probably five of them have
16 passed. We sit down -- when I worked for Sitka -- worked
17 with Sitka Tribe -- sometimes I felt like I worked for a
18 Sitka Tribe. We would sit down and work out a proposal,
19 talk about the strategy of what's going to make it work.
20 We'd submit it. When we were in Sitka and we were on that
21 deer issue, we got slapped in the face two years in a row
22 and it hurt. But we learned from it, we got up and we kept
23 going. So I have to just say that if you're submitting a
24 proposal and it doesn't pass then you have to learn from it
25 and resubmit. Because it's a slow process.

26
27 You know, we as the Council members, we are here
28 committed to subsistence but we can't do everything that
29 even we want for even our own villages. We can't seem to
30 stop the coho takes by the charter fleet out of Sitka.
31 It's been brought to this Council two or three years in a
32 row by Sitka Tribe coming here and telling us that. But
33 what we can do is try and offer advice on this is what it's
34 going to take. And so I'm saying this because I don't want
35 you to walk away thinking that we're going to do something
36 that will make your life worse and I'm also saying this
37 because I want you to know that it's a long process. We're
38 here to help. It may not help in the first year, it may
39 take a couple years, but you just got to keep trying. We
40 will do whatever we can to protect subsistence in terms of
41 fisheries, as I had mentioned yesterday.

42
43 Herman Kitka started talking about subsistence
44 fisheries the first year he sat on this. And he never
45 stopped talking about it until we got it. When I first got
46 on this Council, Sitka Tribe said submit fisheries
47 proposals. I said, well they don't cover fish. They said,
48 we don't care, we want them to know it's an issue. By
49 submitting those proposals, we were able to bring it up as

50 an issue on the annual report. And if nothing else then

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1 that annual report got sent to the Federal Subsistence
2 Board and they heard loud and clear that fish was an issue
3 in Southeast. So I'm just trying to like get a feel for
4 where we are and what we can do. And so I don't want you
5 to walk out of here being all bent out of shape or walk out
6 feeling like we're not doing something. It's a slow
7 process.

8
9 MS. WILSON: Madame Chair?

10
11 VICE-CHAIR GARZA: Marilyn.

12
13 MS. WILSON: I have a question on -- like
14 if Hydaburg is going to put a proposal in to the State Fish
15 and Game, can we get a copy of that so that at our next
16 meeting we could make comments and recommendations on what
17 we think and whether we oppose or support those?

18
19 VICE-CHAIR GARZA: That's one thing that
20 John was talking about yesterday afternoon to me during
21 break and it's something that we should consider as a
22 Council, is to go through the Southeast packet, Board of
23 Fish proposals and submit a letter to the Board of Fish
24 saying we support these proposals and we don't support
25 these proposals. Because in that sense, I think we have
26 more muscle than we have used. And I think that if
27 Hydaburg submits a proposal to the Board of Fish regarding
28 those markers and once we look at the data from Fish and
29 Game and testimony from Hydaburg then we should take action
30 in terms of writing to the Board of Fish.

31
32 Okay, so for the issue with Hetta, you know, that's
33 something that I think we can provide support to for
34 subsistence protection. And the other comment I wanted to
35 make in regards to the markers is that markers are a big
36 issue. In Sitka, for Redoubt, you know, if they move those
37 markers in so that seiners could come in, they could wipe
38 out Redoubt sockeye in three sets. And so I think if it's
39 brought up as an issue, I think it's an issue that has to
40 be read through. Because that stock may be healthy now but
41 it would take very little in terms of seiners to go in and
42 sweep it out. And probably any of us could pick a stream
43 in our area and say the same thing, that it's possible.
44 And so we have to consider that as an issue and how we can
45 provide information to ComFish to say these are issues that
46 we're concerned about and we're watching you. And
47 sometimes that may be enough to effect that. But I am
48 someone who is concerned about markers because there are
49 little -- you know, most sockeye streams are small --

50 they're small stocks and it's easy to do them in. And once

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1 they're gone, they can be gone for a long time.

2

3 Okay, so we have a whole day of proposals that we
4 need to go through and we have other things on the agenda.
5 These proposals were submitted by people who expect us to
6 take action so we need to take action. We'll take a 10
7 minute break and come back to proposals.

8

9 (Off record)

10

11 (On record)

12

13 VICE-CHAIR GARZA: I have one -- I have two
14 things for testimony. Testimony regarding Hydaburg/Hetta
15 Inlet will be after these proposals. We have several
16 people that have requested to testify. We will do the
17 proposals now and during each proposal there will be time
18 for public comment on that proposal. And then once we get
19 through the proposals, then our agenda still allows time
20 for public comment. So public comment has not ended but we
21 need to get our work done here.

22

23 So for proposals, we have a process that we go
24 through for each proposal. I think we have 15 or 16 -- is
25 that it, Fred?

26

27 MR. CLARK: Right.

28

29 VICE-CHAIR GARZA: And we will discuss a
30 proposal, get the written comments from them, ask for
31 public comments. At that time all comments stop and then
32 the Council, only the Council deliberates and then we take
33 action. That's the process we've used for the last however
34 many years and so I hope that we have all gone through the
35 proposal and have a familiarity with it but these two men
36 will help us understand them better. Fred and Cal.

37

38 MR. CLARK: Thank you, Madame Chairman.
39 For the Council's information, on Page 2 and 3 of your
40 Council booklet it shows which pages each proposal is on.
41 So for quick reference you can look through there. For the
42 record, my name is Fred Clark. I'm the Council Coordinator
43 for the Regional Advisory Council. I'm also the staff
44 anthropologist. So for the purposes of the proposal, I was
45 responsible for the analysis of the customary and
46 traditional use determinations of Proposal 22. So we'll
47 start with that and after we're done with this part of
48 Proposal 22 then I'll yield the mike to Cal Casipit who
49 will be handling the presentations through all the

50 biological aspects of the proposals.

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1 Proposal 22 was submitted by Bruce Eagle of
2 Wrangell. He submitted this proposal that had two aspects.
3 As I said, one aspect is to customary and traditional use
4 determination; the other aspect is more the season and bag
5 limit type of a proposal. It was for cutthroat trout,
6 rainbow trout and Dolly Varden char. He wanted these
7 regulations to apply to all residents of Southeast. In
8 conversations with Mr. Eagle, I clarified that by Southeast
9 he meant both the Yakutat management area and the Southeast
10 management area. So it's all the way from Yakutat south.
11 The proposal requests a year-round subsistence season for
12 cutthroat, rainbow trout and Dolly Varden char. You'll
13 find that all these proposals have lots of different
14 issues.

15
16 Lots of things that will challenge you to think
17 outside the box a little bit. And so we're going to start
18 off right off the bat by asking you to think outside the
19 box a little bit. Because when I started looking at this
20 proposal, it only referred to cutthroat, rainbow trout and
21 Dolly Varden char. As I was looking at the information, it
22 seemed like the information and the applicability, the way
23 our customary and traditional use determinations that we
24 took over from the State into the Federal system, didn't
25 really make a lot of sense. And that the information was
26 in the same place whether you're looking at trout, you're
27 looking at salmon, you're looking at the other species. So
28 I started compiling all this information for all the
29 species at the same time.

30
31 And it became clear that the existing customary and
32 traditional use determinations that the Federal system
33 inherited from the State system were selective at best.
34 ADF&G, Division of Subsistence went through a lot of work
35 to gather up information about customary and traditional
36 uses around the region for all these different species.
37 And that information had been presented to the Board of
38 Fish. The Board of Fish then made determinations but those
39 determinations completely didn't deal with some of the
40 communities. Communities like Wrangell. Communities like
41 Petersburg were completely left out by these species. The
42 communities that were recognized as customary and
43 traditional use communities tended to be what was in the
44 '70s predominately Native communities. Thinking about
45 Title VIII of ANILCA, it deals specifically with Natives
46 and it deals specifically with non-Natives. So we needed
47 to look at both -- both the Native communities and
48 communities that are mixed. And even those communities
49 that don't have Native residents.

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1 For that reason, I went through kind of a mid-range
2 sort of analysis where presenting a lot of information
3 about the broad use of these resources by all residents in
4 Southeast. I even heard one Council member today talk
5 about how that's what it means to be a customary and
6 traditional user in Southeast is that you can go anywhere
7 in Southeast and get the resources if you need them.

8
9 I'm going to assume that you've all read the
10 analysis and just give you a quick overview of the eight
11 factors. So, those of you who haven't dealt with the
12 customary and traditional use determinations before, just a
13 little primer. The eight factors -- or it's another thing
14 that the Federal system inherited from the State system,
15 there were a number of different criteria that people
16 looked at to determine whether a community had a positive
17 customary and traditional use of a particular species for
18 that area. They consist -- the ones that we use in the
19 Federal system are a long term consistent pattern of use
20 excluding interruptions beyond the control of the community
21 or area. A pattern of use recurring in specific seasons
22 for many years. A pattern of use consisting of methods and
23 means of harvest which are characterized by efficiency and
24 economy of effort and cost condition by local
25 characteristic.

26
27 The fourth is the consistent harvest and use of
28 fish and wildlife as related to past methods and means of
29 taking near or reasonably accessible from the community or
30 area. A means of handling, preparing, preserving and
31 storing fish or wildlife which has been traditionally used
32 by past generations including consideration of alteration
33 of past practices due to recent technological advances
34 where appropriate. The sixth is a pattern of use which
35 includes the handing down of knowledge of fishing and
36 hunting skills, values and lore from generation to
37 generation. The seventh is a pattern of use in which the
38 harvest is shared for distributing within a definable
39 community of persons. And finally, a pattern of use which
40 relates to reliance upon a wide diversity of fish and
41 wildlife resources of the area and which provides
42 substantial cultural, economic, social and nutritional
43 elements to the communities or area.

44
45 Rather than go through each of those criteria in
46 gruelling detail, what I'd like to do briefly is just go
47 over what the draft conclusion is -- the preliminary
48 conclusion. And in the process I want to re-emphasize what
49 I said yesterday, that the preliminary conclusions in all

50 these proposals are preliminary and please put your

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1 thinking caps on to challenge, to add to, to think up new
2 approaches. So the preliminary conclusion is to have
3 separate customary and traditional use determinations in
4 the regulations for the Yakutat area and the Southeastern
5 area because that's the way the regs are set up. But they
6 would read essentially the same and that would be: the
7 species would be salmon, trout, Dolly Varden char, smelt
8 and hooligan. Residents of -- there's a misprint in here I
9 just noticed -- residents of the Yakutat area for the
10 Yakutat area and residents of the Southeastern area for the
11 Southeastern area of the regulations and rural residents of
12 all of Southeast would have the positive customary and
13 traditional use determination.

14
15 Rural residents throughout Southeast Alaska do
16 continue to practice customary and traditional harvest and
17 use of all available species of salmon, trout, char, smelt
18 and hooligan from waters both close and distant to their
19 communities within the region. It's recognized that not
20 all communities in the region customarily and traditionally
21 have used all these species everywhere in the region. It's
22 also recognized that persons living outside the State
23 communities are often customary and traditional users.
24 This is a broad brush approach to C&T determinations for
25 fish in Southeast Alaska. It's necessary in order to
26 provide appropriate subsistence opportunity for Federally
27 qualified subsistence users who would otherwise be denied
28 through overly restrictive determinations. But this is
29 just the first step that I would propose.

30
31 The next step that I would propose is a community
32 by community, species by species very detailed analysis
33 that would be available for the Council to use in later
34 determinations for finer levels of C&T determinations if
35 that's what the Council wants to do. There was not time to
36 do that detailed of analysis during this one season. What
37 we'd have to do is set either problematically or by
38 contract, a system by which we can do those species by
39 species and community by community analyses. So the second
40 step would be a more thorough species by species and
41 community by community analysis conducted in case resource
42 conservation concerns require restrictions among Federally
43 qualified subsistence users. In the meantime, this
44 approach will provide a more realistic base on which the
45 Federal program can maintain subsistence fishing
46 opportunities for the rural residents of the region.

47
48 And I would now open it up to the Council.
49

MR. ADAMS: Madame Chairman?

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1 VICE-CHAIR GARZA: Just a sec -- so was
2 there public comment on Proposal 22?

3
4 MR. CLARK: Thank you, Madame Chairman.
5 You mentioned that -- on Page 4 and 5 of your book, there's
6 a summary of written public comments that are general
7 comments that are made by the Southeast Alaska Fisherman's
8 Alliance, by United Fisherman of Alaska, Southeast Seiners,
9 Petersburg Vessel Owners Association, United Southeast
10 Alaska Gillnetter's Association and Chris Guggenbickler of
11 Wrangell. There are specific public comments that are
12 included in the executive summaries for each of the
13 proposals. So that's where we'll find the public comments.

14
15 VICE-CHAIR GARZA: Okay. And I'm saying
16 this, Bert, because we have this process -- there's that
17 line on the bottom of this page. Okay, so for Proposal 22,
18 ADF&G comments and written comments on the bottom of Page
19 7.

20
21 MR. CLARK: So would you like ADF&G
22 representatives to do their comments at this point?

23
24 VICE-CHAIR GARZA: Sure.

25
26 MR. DAVIS: Madame Chairperson, on the C&T
27 part of the.....

28
29 VICE-CHAIR GARZA: State your name again.

30
31 MR. DAVIS: Pardon?

32
33 VICE-CHAIR GARZA: State your name again.

34
35 MR. DAVIS: It's Brian Davis with the
36 Division of Subsistence, Fish and Game. Regarding C&T, the
37 preliminary staff analysis recommending expanding the
38 requested C&T to include all species of trout, char,
39 salmon, smelt and hooligan region-wise. They proposed this
40 approach because they felt that subsistence opportunity had
41 been overlooked under State management. They also stated
42 that if this approach wasn't taken, opportunity would be
43 continued to be denied. Federal staff recognized that this
44 was a rather generic approach to C&T and they recommended
45 revising the customary and traditional determinations on an
46 area by area and species by species basis in the future as
47 needed. The State testified that we were uncomfortable
48 with this type of sweeping or general C&T determination and
49 that at a minimum, we would like to see the analysis

50 divided into two components: salmon and other species.

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1 Thank you.

2
3 VICE-CHAIR GARZA: Steve?

4
5 MR. HOFFMAN: Madame Chairman, yeah, Steve
6 Hoffman, Fish and Game. On the trout and char regulations,
7 the preliminary Federal staff analysis also suggested
8 modifying the request to include a 10 fish harvest limit
9 for Dolly Varden because that's the current State
10 regulation. For cutthroat and.....

11
12 MR. CLARK: Madame Chairman, if I may
13 interrupt. That's for the next part of the proposal.

14
15 VICE-CHAIR GARZA: Okay.

16
17 MR. HOFFMAN: I'll wait until that
18 section.....

19
20 VICE-CHAIR GARZA: Okay. And then we have
21 written comments at the bottom of Page 7, Edna Bay Fish and
22 Game in favor of this proposal. Were there other agency
23 comments?

24
25 MR. CLARK: There was -- the Eastern Prince
26 of Wales Fish and Game Advisory Committee met on October
27 5th and they are opposed to Proposal Number 22. It says,
28 cutthroat trout, rainbow trout, Dolly Varden char,
29 customary use, limit, season, gear. The majority opinion
30 is that this proposal goes against what ADF&G recommends as
31 maintaining population levels, especially gear size limit
32 and take limit of cutthroat and rainbow trout. It looks
33 like this applies to the next part of the proposal more
34 that the customary and traditional use aspect. That
35 concludes the written public comments, Madame Chairman.

36
37 VICE-CHAIR GARZA: Okay. So are there
38 public comments regarding Proposal 22 which looks at C&T
39 determinations for cutthroat trout, rainbow trout, Dolly
40 Varden and possibly other local species? David?

41
42 MR. BEDFORD: Hi, my name is David Bedford,
43 I'm with Southeast Alaska Seiners. I have to say, we
44 didn't submit any written comments on this because to some
45 extent we're kind of a moving target here. The proposal
46 that it appears we're looking at now is not exactly the one
47 that was in the book initially. And we had thought that
48 this proposal would deal with some C&T determinations on
49 some trout. We really don't know much about it or have

50 anything to say about it. But know we're looking at broad

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1 customary and traditional determinations for a lot of
2 species of fish and I guess I don't really have much in the
3 way of a specific comment about it except to say that I'm
4 not clear of what the effect of this is.

5
6 Fred mentioned a two step process here which seemed
7 to make sense to me and the first one's sort of a broad
8 brush stroke in which you determine -- make the customary
9 and traditional determination for a large population for a
10 lot of species -- large population of people over a broad
11 geographic area. And then following that up with some more
12 detailed work community by community and species by
13 species. But I'm wondering if you take the first step on
14 that, if you do the general first, where do you stand until
15 you do the specific stuff. I don't know what the effect of
16 that is. Does that mean that, that for example, anybody
17 from Southeast can go up to Haines and fish for hooligan --
18 any rural resident of Southeast? Is that what the specific
19 effect is at the beginning until you do step two and narrow
20 that down or maybe you don't narrow it down, I don't know.

21
22 So I'm too confused, I guess personally to have to
23 pretty much sense of a comment. I have questions. But the
24 more general question that kind of underlies this for me
25 is, as we go along here today, what proposal should I be
26 commenting to? Should I comment to the staff modification
27 of the proposal? Should I comment to the proposal as
28 originally written? Because quite frankly the comments
29 that I would give today differ from the written comments
30 that I submitted because I'm looking at different proposals
31 now.

32
33 VICE-CHAIR GARZA: Right. That's a good
34 question and that's something the Council will have to
35 figure out, is which proposal we will support or not
36 support. And so maybe once we figure that out, we'll let
37 you know.

38
39 MR. BEDFORD: Thank you.

40
41 VICE-CHAIR GARZA: Okay. Okay, so we have
42 Proposal 22 which was submitted by -- who was it submitted
43 by?

44
45 UNIDENTIFIED SPEAKER: Mr. Bruce Wrangell.

46
47 UNIDENTIFIED SPEAKER: Bruce Eagle of
48 Wrangell.

49

VICE-CHAIR GARZA: Someone in Wrangell.

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1 And then there was a recommendation to expand that proposal
2 to be more inclusive. Okay so Fred, first tell us the
3 difference between making a C&T determination and going the
4 next step and actually providing for that harvest.

5
6 MR. CLARK: Sure. A customary and
7 traditional use determination you can think of as a
8 necessary but in itself insufficient determination to allow
9 people to go out and fish at a given stream. For people to
10 be eligible to fish in a particular location, they have to
11 be recognized as a customary and traditional user of that
12 resource. There's -- it's important to point out a
13 difference between the way the State looks at customary and
14 traditional use determinations and the Federal program
15 looks at customary and traditional use determinations.

16
17 Under the State system, if you don't have positive
18 customary and traditional use determination you can't fish
19 at that location. Under the State system, if there's no
20 customary and traditional use determination, any rural
21 resident within the state is eligible to go and fish at
22 that location. So there are a number of places like --
23 well, take Stikine River for instance, there is no
24 customary and traditional use determination for Stikine
25 River.

26
27 VICE-CHAIR GARZA: By the State.

28
29 MR. CLARK: By the Feds or the State.

30
31 VICE-CHAIR GARZA: By the Feds, okay.

32
33 MR. CLARK: So under the State system,
34 subsistence users are precluded from doing subsistence on
35 that stream. Under the State system, because there no.....

36
37 UNIDENTIFIED SPEAKER: (Indiscernible -
38 interrupting) Federal system.

39
40 MR. CLARK: No, under the State system
41 they're pretty clear. Under the Federal system, anybody
42 who's a rural resident in the state can go and fish on that
43 stream if there's a regulation that allows it. So it gets
44 kind of confusing. If there is a positive customary and
45 traditional use determination on a stream in the Federal
46 system, that means that no longer anybody can fish there,
47 just those people with the positive customary and
48 traditional use determination can. So in some senses, it's
49 a restrictive set up to do a customary and traditional use

50 determination. So by doing a positive customary and

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1 traditional use determination for residents of Southeast --
2 Southeast wide --that means that other rural residents from
3 the state are no longer eligible to come down to the
4 Southeast to do subsistence. And so it just puts it into a
5 slightly smaller scale as a starting point. It in itself
6 does not provide everybody in Southeast an opportunity to
7 harvest upon any given stream because there are regulations
8 that -- and the Council will looking at it later -- that
9 will further determine what's open and when.

10
11 VICE-CHAIR GARZA: Did you guys all get
12 that?

13
14 UNIDENTIFIED SPEAKER: No.

15
16 VICE-CHAIR GARZA: Did anybody get it?

17
18 UNIDENTIFIED SPEAKER: Did anybody get it?

19
20 CHAIRMAN THOMAS: Madame Chairman?

21
22 VICE-CHAIR GARZA: Mr. Thomas.

23
24 CHAIRMAN THOMAS: It's very contrary to the
25 way of life that the indigenous people of the region have
26 exercised over the years where there was no restrictions,
27 in fact it was an attitude of sharing. Because what one
28 part of the region didn't have, the region that did have
29 that would share back and forth. This would have a
30 tendency to interrupt that.

31
32 VICE-CHAIR GARZA: Bill, I forgot to
33 mention that I agreed only to chair this provided you call
34 me Haida Princess and you forgot.

35
36 (Laughter)

37
38 VICE-CHAIR GARZA: No, every time you
39 address me.

40
41 CHAIRMAN THOMAS: (Indiscernible).

42
43 VICE-CHAIR GARZA: It's a tough issue
44 because I know with the game, we went through a couple
45 years of doing C&T determination for game by community and
46 by species. Fundamentally my gut says I think that we need
47 C&T for fish because in the long run it will protect us.
48 It has to be recognized. If we say we're not going to do
49 it because it may be more restrictive then in the end, if

50 things changed, then there will be nothing that said we had

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1 customary and tradition for fish in this region. And then,
2 you know, when we went through the game species it seemed
3 like we -- I mean, we did it and we recognized how some
4 areas were the primary harvesters of this resource like the
5 moose in Wrangell area. And then we recognized what other
6 communities traditionally went there. And that was where
7 it really depended on the knowledge from this Council --
8 people like Herman who talked about when people would go to
9 Sitka or that people didn't go to Yakutat. And so C&T
10 determinations were made on that basis. But with fish it's
11 going to be a lot harder. John?

12
13 MR. LITTLEFIELD: Madame Chair. This may
14 be a question for Fred to see if I've grasped this
15 correctly. By my recollection, there are around 88,000
16 rural residents in the state of Alaska that qualify for
17 subsistence use in one form or another, is that right?

18
19 MR. CLARK: It's a lot of people.

20
21 MR. LITTLEFIELD: It was -- at least that
22 was used. And if we were to pass a customary and
23 traditional finding for the salmon and the other species
24 that are listed here, the access would be restricted to the
25 people who are in a Southeast region, is that correct?

26
27 MR. CLARK: That's correct.

28
29 MR. LITTLEFIELD: In other words, we would
30 go from this 88,000 who now have access to -- down to the
31 residents of Southeast. Correct?

32
33 MR. CLARK: Right. So that means that
34 there would be a total of about 30,000 people. And it
35 would include those residents of Southeast who are not
36 within particular communities. It would include those
37 people who don't actually reside inside a community. Right
38 now those people are pretty much excluded.

39
40 MS. WILSON: Madame Chair.

41
42 VICE-CHAIR GARZA: Marilyn.

43
44 MS. WILSON: I have a question on the
45 hooligans. The staff recommends that we add hooligans to
46 the C&T. Right now, do people go and get hooligans from
47 Stikine, like say -- do you get euchalons from Stikine
48 River?

49

MR. STOKES: In the last two years --

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1 Madame Chairman -- the last two years they had nothing but
2 (indiscernible). We had a family harvesting them all the
3 time and last year my brother-in-law went out and got three
4 fish. Three hooligan and that was the size of the harvest.
5

6
7 MS. WILSON: Yeah, and Madame Chair,
8 according to the proposal, it says bag limit, six fish per
9 day on each species. So we'd only be allowed six
10 euchalons?
11

12 (Laughter)
13

14 CHAIRMAN THOMAS: Plenty.
15

16 MS. WILSON: For lunch maybe.
17

18 VICE-CHAIR GARZA: I think the six fish per
19 -- oh.....
20

21 MR. CLARK: Madame Chairman, that's the
22 next part of the proposal which isn't as broad. Madame
23 Chairman?
24

25 VICE-CHAIR GARZA: Fred.
26

27 MR. CLARK: On Page 13 through 15 are the
28 existing customary and traditional use determinations for
29 the Southeast area. And you'll see that most of those do
30 currently include salmon, Dolly Varden, trout, smelt and
31 hooligan. So that's a carryover from our existing
32 regulations. For the proposal, that's the draft
33 conclusion. So that would still be salmon, trout, Dolly
34 Varden char, smelt and hooligan.
35

36 MS. WILSON: Madame Chair, these were
37 determinations for the different communities?
38

39 VICE-CHAIR GARZA: So.....
40

41 MR. CLARK: So if you look at the
42 determinations where -- for instance, District 3 -- it says
43 for those species -- which is salmon, Dolly Varden, trout,
44 smelt and hooligan -- its residents of the City of Klawock
45 on Prince of Wales Islands, within the boundaries of
46 Klawock Heenya Corporation land holdings as they exist in
47 January 1989. And those residents of the City of Craig on
48 Prince of Wales Island within the boundaries of Shan Seet
49 Corporation land holdings as they exist in January 1989.

50 So it refers to individual communities and particular

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1 pieces of land that are not particularly corporations.

2

3 VICE-CHAIR GARZA: So by having these
4 existing C&T for these species, we have already excluded
5 the other 50,000 rural residents.....

6

7 MR. CLARK: That's correct.

8

9 VICE-CHAIR GARZA:from priority use.

10

11 MR. CLARK: That's right and say somebody
12 from Hydaburg is -- does not customary and traditional use
13 determination in 3D, they only have a customary and
14 traditional determination in Section 3A of District 3. But
15 anybody in Southeast currently has positive customary and
16 traditional use determination for halibut and bottom fish
17 in District 3A. Anybody can go into 3A.

18

19 VICE-CHAIR GARZA: Okay, so in regards to
20 this proposal which is species specific before the Fish and
21 Game recommended expansion, where does it add species to
22 this existing C&T determination?

23

24 MR. CLARK: Well, it's the original
25 proposal for changing regulations.

26

27 VICE-CHAIR GARZA: So this is what it would
28 look like if.....

29

30 MR. CLARK: The one on Page 13 through
31 15.....

32

33 VICE-CHAIR GARZA: Uh-huh (affirmative).

34

35 MR. CLARK: Those are the existing
36 customary and traditional use determinations that are in
37 the Federal regulations now.

38

39 VICE-CHAIR GARZA: Okay.

40

41 MR. CLARK: Okay. So if you look back at
42 the end of the analysis and correct for the typos on Page
43 22, then the preliminary conclusions at the top of the page
44 are what the new C&Ts would look like. So it just
45 condenses all that other stuff down into fairly simple
46 statements. And again, the point of this approach is just
47 to put us in a little better situation than we are right
48 now. And then if the Council wants to move forward for
49 more specific C&Ts, we can do that too.

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1 VICE-CHAIR GARZA: Okay, so the question
2 I'm asking. I mean if I'm a seiner and I'm all like wigged
3 out because gee, we're doing C&T for all of Southeast, I
4 could say well gee that's not really true because we have
5 C&T for these districts and these communities. So how does
6 this proposal -- I mean does it add it for -- is the main
7 difference that it adds for all rural residents of
8 Southeast to have C&T in all districts?

9
10 MR. CLARK: Uh-huh (affirmative). That's
11 it. It's for all residents of Southeast Alaska in all
12 districts of Southeast Alaska.

13
14 VICE-CHAIR GARZA: Let me see, so that
15 someone.....

16
17 MR. CLARK: All rural residents.

18
19 VICE-CHAIR GARZA: So someone from
20 Ketchikan could come over to Hetta and take sockeye?

21
22 MR. CLARK: Right, which they can do now
23 under sports regs anyway.

24
25 MS. WILSON: They're not rural.

26
27 VICE-CHAIR GARZA: But they could say it's
28 C&T?

29
30 MR. CLARK: They could say it's C&T.

31
32 MS. WILSON: But they're not rural.

33
34 VICE-CHAIR GARZA: And that's exactly.....

35
36 MR. CLARK: Not Ketchi -- excuse me.

37
38 VICE-CHAIR GARZA:what they spoke
39 against yesterday.....

40
41 MR. CLARK: Excuse me, not -- excuse
42 me.....

43
44 VICE-CHAIR GARZA:they looked at all
45 we got with.....

46
47 MR. CLARK:I misspoke, not Ketchikan
48 because they're not rural.

49

VICE-CHAIR GARZA: Pardon?

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1 MR. CLARK: Not Ketchikan because they're
2 not rural.

3
4 VICE-CHAIR GARZA: Saxman?

5
6 MR. CLARK: Yeah, Saxman could.

7
8 VICE-CHAIR GARZA: Now do you guys get it?

9
10 MR. LITTLEFIELD: I'm ready.

11
12 VICE-CHAIR GARZA: For what? That concerns
13 me substantially because I think there are communities who
14 do not want other residents coming to their small sockeye
15 or small hooligan runs and taking resources.

16
17 MR. CLARK: Madame Chairman?

18
19 VICE-CHAIR GARZA: Fred.

20
21 MR. CLARK: Just because people can doesn't
22 mean they will either because one thing about customary and
23 traditional users is that they tend to go to their
24 customary and traditional places.

25
26 VICE-CHAIR GARZA: Okay. So Council --
27 Bert?

28
29 MR. ADAMS: Madame Chairman, while I think
30 it's really a good idea, you know, to determine these
31 species as C&T, I do have some problems with it and maybe
32 Fred can clarify it for me. Since we're adding -- you
33 know, on Page 22 under preliminary conclusion, we're adding
34 smelt and hooligan to the new regulations. If you go over
35 to Page 8 it says, how should the new regulation read and
36 then it says that and then it's got method, season and bag
37 limit. Method is to catch these species by rod and reel,
38 any bait or lure; there's no closed season and then there's
39 going to be six fish per day for each species with no size
40 limit. When you add smelt and hooligans to this, you know,
41 I'm kind of concerned like Marilyn is here. Are we going
42 to be allowed to only take six smelt and six hooligans?
43 And are we going to be only confined to catching them with
44 rod and reel?

45
46 MR. CLARK: Yeah, Bert, Madame Chairman.
47 This part of the proposal, you have to think of it in two
48 parts. The first part is the customary and traditional use
49 determination which does not say anything about what

50 methods or bag limits or seasons or any of that stuff. It

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1 only deals with whether people have customary and
2 traditionally used these species. It doesn't -- the next
3 part of the proposal, which Cal will be talking about, gets
4 into seasons and bag limits and methods and means. And
5 that will deal only with rainbow trout, Dolly Varden and
6 char. Dolly Varden char and cutthroat. And not the whole
7 list of species that we're talking about in terms of the
8 customary and traditional use determination.

9
10 MR. ADAMS: Okay, then I understand that to
11 mean that all we're trying to do right now is determine a
12 C&T for these species and then we'll go in to the other
13 part of it later.

14
15 MR. CLARK: Right. Exactly.

16
17 MR. ADAMS: Do you have any problem with
18 that, Madame Chairman, that in Fred's explanation of this
19 when it first got put forth, someone made a recommendation
20 that Yakutat area be included in it. And we -- and Yakutat
21 has never had a chance to take this up as a community so,
22 you know, I have a little problem with that. And we have
23 our mayor here now, he might be able to make a comment on
24 that as well but I feel very uncomfortable with excepting
25 this without community input from the Yakutat area.

26
27 VICE-CHAIR GARZA: Okay, then I have two
28 other Council members, Mike and then John. Mike?

29
30 MR. DOUVILLE: I'm still confused as to what
31 we are changing. We have a C&T determination for all the
32 different districts, that doesn't mean that -- I don't
33 think there's any restriction from somebody from Saxman say
34 coming over to Klawock and fishing.

35
36 UNIDENTIFIED SPEAKER: Yeah, there is.

37
38 MR. CLARK: Yes, there is.

39
40 MR. DOUVILLE: There is.

41
42 VICE-CHAIR GARZA: So when they come over,
43 they come over as personal use?

44
45 MR. CLARK: They can come over as personal
46 use or sport but not under subsistence.

47
48 MR. DOUVILLE: Okay, so it's a State permit
49 -- subsistence permit or a personal use, whatever it may

50 be, that determines that now.

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1 MR. CLARK: Right.

2

3 MR. DOUVILLE: So by adopting or modifying
4 it, we would change that and those people would not be
5 allowed to continue to.....

6

7 MR. CLARK: No, by changing it, it would
8 make it broader than it currently is because it would allow
9 any rural resident of Southeast Alaska -- it would provide
10 a customary and traditional use determination -- positive
11 customary and traditional use determination for any rural
12 resident of Southeast Alaska for all of Southeast Alaska --
13 is the draft conclusion. So people from Saxman would then
14 have a positive customary and traditional use determination
15 for Klawock, for instance. And the main point is that the
16 customary and traditional use determinations that the State
17 program assumed from -- the Federal program assumed from
18 the State program, you know, they were determinations that
19 were made by the Board of Fish in, was that 1989? Is that
20 right, '89?

21

22 VICE-CHAIR GARZA: Yeah, '89.

23

24 UNIDENTIFIED SPEAKER: That's when it was
25 adopted from -- it might have been made earlier.....

26

27 MR. CLARK: But it was in the '80s.

28

29 VICE-CHAIR GARZA: It was '89 in
30 Petersburg, I was there.

31

32 MR. CLARK: Right. And by looking at the
33 information, it looks like these are very specific C&Ts
34 that don't take into consideration many of the communities
35 in Southeast. For instance, Petersburg and Wrangell
36 weren't even considered.

37

38 VICE-CHAIR GARZA: They didn't want it.

39

40 MR. CLARK: They didn't want it so they
41 weren't considered.

42

43 VICE-CHAIR GARZA: Well the Petersburg
44 didn't want it.

45

46 MR. CLARK: And there are other communities
47 as well that just aren't even touched on.

48

49 MR. LITTLEFIELD: I still haven't.....

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1 VICE-CHAIR GARZA: Okay, I'm sorry, John
2 and then I have comments.

3
4 MR. LITTLEFIELD: The way I was
5 interpreting this and maybe this is wrong is that Table 1
6 and Table 2 that are in the book kind of shotgun salmon --
7 some have salmon and some have euchalon and some have
8 trout, whatever like that. To me, this is just inserting
9 in the species column -- salmon, Dolly Varden and trout --
10 everything that's on this list is just inserted in that
11 species column. Is that one way to look at it?

12
13 MR. CLARK: Well, that's the existing.....

14
15 MR. LITTLEFIELD: Existing. In other
16 words.....

17
18 MR. CLARK: Existing regulations and.....

19
20 MR. LITTLEFIELD:what we would do by
21 passing this is, the first one where it says salmon only,
22 we would now have all of these species listed.

23
24 MR. CLARK: Yeah, that is correct. And then
25 in the right column where it says determination.....

26
27 MR. LITTLEFIELD: The determinations would
28 be.....

29
30 MR. CLARK:that would be for all
31 rural residents of Southeast Alaska.

32
33 MR. LITTLEFIELD:rural residents. So
34 if you look at these two tables, that's the way I was
35 looking at it. The species column is going to be filled
36 with salmon, Dolly Varden, trout, smelt -- whatever the --
37 euchalon -- and the determination on the right hand side is
38 going to be rural residents of Southeast. The way I read
39 this.

40
41 VICE-CHAIR GARZA: Except that most of
42 these under the species are already there.

43
44 MR. CLARK: They are.

45
46 CHAIRMAN THOMAS: This just makes it for
47 all these residents.....

48
49 VICE-CHAIR GARZA: No.

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1 MR. LITTLEFIELD: Excuse me.

2
3 VICE-CHAIR GARZA: I guess I have to -- now
4 that I understand this, I have to speak against this
5 proposal because I think there are communities that have
6 fought hard to protect their C&T for their community
7 members and I think if they understood that this is what
8 this proposal was that they would be here yelling at us. I
9 mean, I don't think that I have the right to go to Wrangell
10 and take their resource without being invited and if I pass
11 this proposal -- if the Federal Subsistence Board passes
12 this proposal, I could. And I don't think that's right. I
13 mean I think that especially for salmon, with sockeye most
14 of those streams are so small that most of these
15 communities are saying we don't want outsiders here because
16 we're already limited in the number of fish we can take in
17 our stream to begin with. We can't get enough sockeye in
18 Kake for Kake people. So why should we pass a proposal
19 that says anybody in Southeast can now go to Kake's
20 territory and take their sockeye?

21
22 I can understand on the first one where we would
23 want to add these other species, the trouts, because those
24 were subsistencly harvested for a long time. But I think
25 that, you know, like with the game species, we went through
26 species by species and said yes the Sitka people used to go
27 to Wrangell and harvest moose and the Wrangell people
28 acknowledged that and the Sitka people want to continue
29 that. And we also said yes, the Sitka people did not go to
30 Yakutat and we're not going to assume C&T or that right to
31 C&T because we didn't have that. I mean this would be
32 blanket in some ways that would be expansive but I think it
33 would be very counter to what many communities want. It's
34 kind of double edged here.

35
36 CHAIRMAN THOMAS: Haida Princess?

37
38 VICE-CHAIR GARZA: Okay, Mr. Thomas.

39
40 CHAIRMAN THOMAS: What you're saying is
41 true with existing scenarios. That is why the term
42 customary and tradition is so new in the language of
43 management both with the State system and the Federal
44 system. The languages that were used between the tribes,
45 whether you were a Tlingit, Haida or a Shimshian (ph), the
46 spirit was always to make sure that everybody in any
47 community was never in peril because of the nutritional
48 needs or the welfare of protection from the weather. Now
49 this, you might say that's an old fashioned way of doing

50 things but when C&T is used, C&T demands that you have a

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1 historical pattern of exercising these practices. So I've
2 been conveying this message to the Federal program for time
3 immemorial, Fred?

4
5 MR. CLARK: A while.

6
7 CHAIRMAN THOMAS. Yeah, time immemorial.

8
9 And so my personal tendency would be to support
10 that request. While I do recognize the potential negative
11 impact it can have, I don't think that will happen because
12 it hasn't happened with that. Because people that are
13 concerned about the strength of stocks don't necessarily go
14 someplace just to exploit another area's stocks in order to
15 protect their own. That just doesn't happen. So in trying
16 not to be on the wrong side of the Haida Princess, I'll
17 have to demonstrate courage that I don't have to support
18 the proposal.

19
20 Thank you, Haida Princess.

21
22 VICE-CHAIR GARZA: Okay, but I think that
23 -- and after me then Mary, then John -- but using that same
24 argument, Bill, I mean I don't think I would starve but I
25 think that if I come to Klawock, I should let Klawock
26 people know. And under C&T, when C&T is for Klawock
27 residents, I have to do that. I have to call Joanna Woods
28 or I have to call my ex-brother-in-law, God forbid, and be
29 invited. And that's the way it was historically. I didn't
30 just go as a Native person to Yakutat and assume I could
31 take what I wanted. I had to go talk to the clans and the
32 chiefs. Under current C&T, the way it is now, that's what
33 I still have to do. If we pass this, I can be as
34 disrespectful as I want to the Klawock people. Come over
35 with my travel trailer and put up 20 cases and do what I
36 want. And I don't think that we should be doing that as a
37 Council. I think that if a community says hey, we should
38 have this right and if they have the documentation to be
39 included then they should come forward and tell us that but
40 I don't think it should be blanket.

41
42 CHAIRMAN THOMAS: Haida Princess?

43
44 VICE-CHAIR GARZA: Okay, wait. We have
45 Mary, John, Bill.

46
47 CHAIRMAN THOMAS: They didn't call you
48 Haida Princess.

49

VICE-CHAIR GARZA: Mary?

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1 MS. RUDOLPH: Madame Chairman, I would like
2 to -- the only thing that scares me is I'm focusing on that
3 -- is the 88,000 that John brought up. And we've had
4 boundaries long before we ever became a state and still
5 that boundary is still there that we've always respected.
6 And I don't think anybody would -- I don't -- like for
7 Hoonah, I don't think we would actually go out to Angoon or
8 someplace else. My grandfather originates from Angoon but
9 still we would go through the protocol.

10
11 And like exchange the foods that they want from us
12 and we sent them what they want or -- so there's exchanges
13 there and I can't see any hardship coming to any of the
14 village because of this. I think it would kind of put it
15 down so that we're protecting each other because that
16 boundary that I'm talking about still exists today even in
17 the year 2000. I would be more afraid of leaving it the
18 way it is because they have -- sports have come in and
19 leave it for them to still come in and just leave it as
20 broad as it is I think would still hurt us in the end. I
21 think if we put it down to this, we would be protecting
22 what we're trying to protect and what actually everyone is
23 talking about -- protecting these waters. If you look at
24 it at the bigger age, that's 80,000 we open it up for. But
25 if we put it down we protect it for Southeast. Thank you.

26
27 VICE-CHAIR GARZA: Okay, John. Then I have
28 Bill and then Mike.

29
30 MR. LITTLEFIELD: Madame Haida Princess
31 Chairman. I didn't say whether I was for it or against it
32 before but I guess everybody is making their for -- there's
33 no motion. But I'm for this proposal for the simple reason
34 that I see it as removing that very battle that you talked
35 about. That we had to work very hard to get the -- we were
36 dealing with a different agency, a State agency. And it
37 was tough to get these customary -- we have customary and
38 traditional use on salmon in the Sitka area. That's not
39 true for most people and it was hard to get. Coho -- we
40 have the right to get coho. I look at this as the first
41 step in making it easier so that all of the communities can
42 get through this hurdle and then we can look at them on a
43 -- there's two steps to this. The first step to me would
44 make it easier by -- and I'm going to vote for this.

45
46 VICE-CHAIR GARZA: Okay. Bill?

47
48 CHAIRMAN THOMAS: Madame Haida Chairman,
49 love of my life. Dr. Garza. If you were able to take a

50 travel trailer to Klawock and put up 20 cases of sockeye,

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1 that would indicate to me that they had a very strong
2 system. End of quote.

3
4 Madame Chairman, I would like to make an
5 acknowledgement of a member of our audience. I would like
6 us to recognize Viola Burgess. Viola's just a very quiet
7 and unassuming but Viola's been involved in this topic ever
8 since she was 17, that's about seven years now. And she's
9 a dynamite in a representation. She brings us here a
10 wealth of information. She's fair; she's compassionate.
11 She understands the issues; she understands the people.
12 And she always a cooperative -- if you want to talk about
13 cooperative management, you talk to Viola. Well, I just
14 wanted to acknowledge her and recognize her and thank her
15 for being here.

16
17 VICE-CHAIR GARZA: It sounds like he's
18 running for a grand camp something, huh?

19
20 MS. BURGESS: Can I just say a few words?
21 I've packed this paper around with me for a long time.
22 Because when subsistence was -- has always been an issue
23 and we have lived with what Dolly has been talking about,
24 you know. For many years we watched and we kind of feel
25 bad because sometimes -- like Klawock, for instance now.
26 One of my friends said, do you think you folks could get us
27 some sockeye down there? I don't fish, my grandkids go out
28 and fish for me. And she had seven sockeye this year.
29 Seven, that's all she had because it's on the way out.
30 There's nothing coming back to Klawock. And it's going to
31 be the same way down here too because we have people coming
32 -- flying in, dipnetting our sockeye out of the streams.
33 And it's going to be hard for us too. We had one of the
34 biggest streams -- you wouldn't believe this creek if you
35 ever saw this river that we have here. The fish would be
36 clear down to the dock and clear inside to the float. And
37 you could walk across that river on the fish.

38
39 CHAIRMAN THOMAS: No weir probably.

40
41 MS. BURGESS: No. But when we -- I went to
42 my -- I have a mother that is 93 years old and she
43 attributes her long life to her subsistence style of
44 living. And I have an uncle that just turned 90 and
45 yesterday I think you might have heard my uncle Woodrow
46 Morrison speak. He's -- that's what they attribute their
47 lives to, the subsistence style of living. And you folks
48 might not understand this but I went and I said, what is
49 subsistence to you? I went to Gladys, Claude, my mother,

50 Helen Sanderson and all of these people that were alive and

00157

1 most of them are gone now. But this little sheet of paper
2 I said our way of life, subsistence. Our way of life.

3
4 And the first one was Penoeek Heningun (ph). We
5 used to life like this, you know. This is how we lived.
6 Penoeek Heningun (ph). This is how we kept alive,
7 Henounglin Heningogin (ph). That's the way we used to stay
8 alive by getting the fish from down there, hunting and all
9 of the things that -- a lot of the things when we talk
10 about this, he told me when I made my testimony up in
11 Klawock, that's all in the past, that's all over. But it's
12 not all over. I think he was kidding me but he was -- it
13 stuck in my mind because it's never over because we lost
14 everything that we have, you know, like our -- everything
15 is commercialized anymore. We can't go out and get
16 abalone. We can't go out and get yanu (ph) and sea
17 urchins. All of those things are gone from us because
18 there's nothing left after the divers come in and get all
19 of these things.

20
21 The way we used to do things, Ukluno Gunisgungun
22 (ph). This is the way we used to do things all the time.
23 We kept alive -- I expect to live until I'm 100 years old
24 because this is the way I live too. This is the way my
25 family lived. My grandmother Viola Morrison, my mother's
26 mother, lived until she was 104 and she attributed it to
27 the way they used to live, to the way they used to raise
28 their food. The way they used to go out and -- when I was
29 11 years old -- even younger -- as soon as the fish start
30 running, people would go out and we'd be working from six
31 o'clock in the morning until six o'clock at night. You
32 know, cleaning fish, hanging, canning, everything. We'd be
33 out there in the bay -- across the bay, digging our
34 gardens. But my Uncle George, he lived until he 102 so I
35 have long, you know, a long life because this is what they
36 -- this the things that they did and the things that came
37 so easy for them is getting so hard for us now. And I
38 thought we would have these things for time immemorial --
39 your word.

40
41 You know, and when I'm listening to our testimonies
42 from different people in Hydaburg and listening to you
43 people that -- we all have the same problem. We used to
44 have the biggest herring spawn out here at the McFarland
45 Islands. They started fishing at herring out here at
46 Mirror Pass, it was wiped out. We never got a herring out
47 there again until -- this is the first time in how many
48 years we got herring spawn on kelp up here? You know, and
49 all of these things when -- I think my mother, if she was

50 -- if I had brought her over, she would be saying the same

00158

1 thing as I am because this was our way of life. This is
2 the way we stayed alive. And if it's taken away from us or
3 if restrictions are put on us so badly that we can't even
4 go out and do the things we want to do. We don't abuse it.
5

6 This man from Fairbanks came down from the
7 University of Alaska and he said, I would like to talk to
8 you, my name was given -- your name was given to me so I
9 could come and talk to you. So he wanted to know all of
10 the things we did with the salmon. So I went outside.
11 From the coho, we can coho. We dry coho and we use the
12 coho for Indian cheese. We use the eggs for Indian cheese.
13 So I brought that in. And then, out of the dog salmon,
14 when they catch dog salmon, we take those eggs out of the
15 dog salmon and we make what you folks call kahuk (ph). We
16 do that, we do the bellies. We dry the rest of the fish
17 and we salt the bellies. We do everything that we possibly
18 -- but nothing is wasted but the bones and fins. We boil
19 the heads and we cut the heads up and we put the heads in a
20 gunny sack and we bury it for three weeks and we have keenk
21 (ph).
22

23 CHAIRMAN THOMAS: Keenk (ph), uh-huh
24 (affirmative).
25

26 MS. BURGESS: So this is all of the things
27 that we do. There's no waste.
28

29 CHAIRMAN THOMAS: There's none of that
30 today? There's none of that today?
31

32 MS. BURGESS: Oh, yeah.
33

34 CHAIRMAN THOMAS: I'm starving for all
35 that.
36

37 MS. BURGESS: It's still in my house today.
38 This is it, guys. This is our way of life. This is the
39 way we stay alive.
40

41 VICE-CHAIR GARZA: So let me ask you,
42 Viola, do you think that people from other towns in
43 Southeast should have customary and traditional rights to
44 fish in this area? That's the issue right now.
45

46 MS. BURGESS: If we can't -- let me use a
47 for instance. We have IRA here, we're all in our town
48 belong to the IRA except for the non-Natives, of course.
49 And I'm using a clinic in our way of life here. We can't

50 go to another town like Ketchikan. If we don't belong to

00159

1 the KIC, we can't use their clinic. And we're Native
2 people. So if we allow everyone to come in and use our
3 resources and deplete our resources, what do we have left?
4 I don't think that it's right that this should be allowed.
5 I really and truly don't because when you -- we have three
6 sockeye streams and there's one sockeye stream that the
7 planes will come in and they'll dip sockeye out of that
8 stream. And they'll go away. And it's not right. It's
9 not right for us. When that's all gone, what do we have?
10 And we have generations behind us. You know, I don't think
11 so. I don't think so and I don't think anyone else here
12 would be willing to do that.

13
14 Maybe if you look at Klawock now. In our deer
15 hunting season, people come over here and they have -- one
16 van had five deer on top of the -- little horns like that
17 with velvet on. I said, who in the heck is taking all
18 those Bambis out of here? It was parked in front of
19 Thompson House. Those little velvet horns. Things like
20 that -- we have people coming in all the time. The guy
21 from Creech (ph) knows that too. They come in and hunt,
22 take everything out of here. I don't think so. And I
23 think most of the people from Hydaburg feel the same. Most
24 of the people from Craig feel the same. Most of the people
25 from Klawock, they feel it now. They got nothing. You
26 talk about going in there and getting 20 cases of sockeye;
27 you can't get five by the family this year and so they just
28 shut it down. And that's the way it will be if we continue
29 to let this happen. I had a good teacher, Bill. Long
30 winded-ness comes from you guys.

31
32 CHAIRMAN THOMAS: Hey, hey.

33
34 (Applause)

35
36 MS. BURGESS: Thank you.

37
38 VICE-CHAIR GARZA: Okay, I have Mike and
39 then Floyd.

40
41 CHAIRMAN THOMAS: And then Bill.

42
43 VICE-CHAIR GARZA: Then Bill.

44
45 MS. PHILLIPS: And then Patti.

46
47 VICE-CHAIR GARZA: And then Patti.

48
49 CHAIRMAN THOMAS: And then lunch.

00160

1 VICE-CHAIR GARZA: Mike?

2

3 MR. DOUVILLE: Okay, thank you. Are we
4 changing the system then with this modification. Would we
5 be changing the State system we use today and the.....

6

7 VICE-CHAIR GARZA: Federal.

8

9 MR. DOUVILLE: Or the -- yeah, would it
10 become a Federal system we use for this and I have one
11 other question. Since this would appear to change -- this
12 Federal system would change the State one per area, right?

13

14 MR. CLARK: No.

15

16 MR. DOUVILLE: So somebody from Saxman
17 wouldn't be able to come over here?

18

19 MR. CLARK: Mike, this would only.....

20

21 MR. DOUVILLE: Under the Federal system we
22 have today.

23

24 MR. CLARK: This would only change the
25 Federal regulations.

26

27 MR. DOUVILLE: Yeah.

28

29 MR. CLARK: It wouldn't change the State
30 regulations.

31

32 MR. DOUVILLE: I'm still confused. It
33 seems that if I lived in Craig and moved to Saxman -- if I
34 used to live in Craig and moved to Saxman, I'd still have
35 no right to come back here and catch any fish.

36

37 MR. CLARK: Under the current
38 regulations.....

39

40 MR. DOUVILLE: Right.

41

42 MR. CLARK:that's the way it is.
43 Under the Federal program, right.

44

45 MR. DOUVILLE: So how do we address that?
46 We're interrelated in many places here, so like my sister
47 lives in Saxman although she grew up in Craig. So she
48 doesn't have any right to come here and catch fish, she
49 used to when she was younger.

00161

1 MR. CLARK: You can put in a request to
2 change the customary and traditional use determination to
3 include that.

4
5 MR. DOUVILLE: I didn't hear you.
6

7 MR. CLARK: You could put in a request to
8 change the customary and traditional use determination to
9 include Saxman within the customary and traditional use
10 determination for the Klawock and Craig area.

11
12 MR. DOUVILLE: I see.
13

14 VICE-CHAIR GARZA: But this proposal would
15 make that automatic.

16
17 MR. CLARK: This proposal would make that
18 automatic.

19
20 VICE-CHAIR GARZA: Was that both of your
21 questions?

22
23 MR. DOUVILLE: Sort of.
24

25 MR. STOKES: Madame Chairman.
26

27 VICE-CHAIR GARZA: Okay, wait. We have a
28 whole list, I'll add you to it.

29
30 MR. STOKES: Oh, okay.
31

32 VICE-CHAIR GARZA: Okay, Floyd?
33

34 MR. KOOKESH: One of the reasons why I was
35 appointed to this Council was because of my subsistence
36 lifestyle and the fact that I -- the way I was raised, I
37 believe that I was raised the right way. That the food
38 that was made available around our area, that I was there
39 to share it. That it was never meant for me to keep it for
40 myself because I always believed that it doesn't taste good
41 if you don't share it. And it effects me that because I
42 know that we have under our system trade and barter. I get
43 -- I send clams to Sitka for herring eggs. And then we get
44 hooligans from up in Haines. We wouldn't get this under
45 the system. And I believe -- I'm a person who's considered
46 like a designated hunter. I don't go out there just for
47 myself. It's the way I was raised; I was raised to share
48 it and I can't. And I happen to believe that I have to
49 support the C&T because I believe that's the way we are. I

50 don't mean to show any disrespect to the lady who spoke

00162

1 about the KIC system but that's not a Native system.
2 That's a non-Native system. That falls under SEARCH [sic].
3

4 MS. DILTS: I'd like to speak on that issue
5 because, you know, when you have AFN and they come and
6 knock on your door and ask for food and you don't have it,
7 there's something wrong. Now the State and Federal, I'd
8 like to ask you a question. You say you put the limit on
9 our food.....

10
11 VICE-CHAIR GARZA: Jackie, can you come to
12 the mike please? Jackie Dilts.
13

14 MS. DILTS: You say you put limit on our
15 food. We were taught by the Elders how we share our food
16 with other people. I can't get seaweed. You have to go by
17 boat to get seaweed so I call Metlakatla and I said, mom,
18 brother, can you go get me seaweed and I trade you fish? I
19 call Sitka, I want fish eggs. I can't get fish eggs. Can
20 you send me some fish eggs and I'll trade you fish? There
21 are things we depend on our food to keep us young and keep
22 us old at the same time. We depend on this food. It makes
23 us healthier. We live longer. I go to Anchorage, I got a
24 lot of areas to speak. Why? I was adopted in Metlakatla.
25 Hydaburg is my root home. Wallaces was my family. I am
26 the princess of Woody Wallace. Now you make fun of who's
27 the princess. I know my roots. I know who I am. I had to
28 get genealogy to tell me who I am. I go and find out that
29 my dad's from up North, Athabaskan.
30

31 So I have roots and I trade every food that I have
32 and you put limit on our food. I think that's wrong. I
33 tell you from Metlaktla, I come from a family of 26.
34 That's right, 26 uncles and aunties. Wallaces, same. Big
35 family. Athabaskan, I think my dad had four of them. So
36 I'm above all the way around and vowed to taught my kids --
37 you learn to share your food. Whatever you get, you share.
38 I had told you yesterday an experience about how my sister
39 was without food in her shelf and her grocery. None in the
40 fridge but I brought my halibut and my deer meat and my
41 fish. There's something wrong with this picture. Limit
42 10, 20 in the area of Hydaburg. We can't get by on that.
43

44 That was the issue on how much we're supposed to
45 get. But you get four or five men together in a boat and
46 you go out to get the fish. Sometimes there's no fish,
47 they come back empty. They go back out again the next day,
48 maybe just 50 and you still divide four into five and they
49 come home with that amount of fish. They go day after day.

50 I raised seven guys in my family. They were young kids,

00163

1 probably teenagers, you know, they all came back home
2 except for one and he's in Anchorage. I except him as my
3 own son that grew up with my son. This is what it takes to
4 teach our young people. When I spoke on that yesterday,
5 what are we going to do to teach our young people how to go
6 out and get that fish for the Elders. I have disability in
7 my back. I have disability in other areas that I have to
8 depend on my son to go get that fish for me. You say we
9 have to be recognized. Well, we use permit. He has to go
10 and use that permit to go get my fish.

11
12 You know, even though I was hurting this summer and
13 when I was learning to show the others when they came and
14 put my fish up, I said this is what you have to do. You do
15 your fish different than we do, I said, yes I do. I save
16 every little bit of that fish. I don't throw away none.
17 We eat it. Now you guys think long and hard about how
18 you're going to say who can't go and get what fish. Now
19 the family is big but I'm telling you it's wrong when you
20 say you can't have anybody come in your area and get fish
21 or this and that. That's kind of sending the wrong
22 message.

23
24 Thank you.

25
26 VICE-CHAIR GARZA: Okay, Bill?

27
28 CHAIRMAN THOMAS: I'm going to yield. I'll
29 wait until we have action on the table. Thank you.

30
31 VICE-CHAIR GARZA: Okay, Patti?

32
33 MS. PHILLIPS: I was sort of feeling the
34 same way.

35
36 VICE-CHAIR GARZA: Okay.

37
38 MS. PHILLIPS: I'd like to -- I'm hearing
39 both sides of the issue and I agree with both sides and I
40 think that -- I don't know, how would you feel about
41 keeping the current determinations and then for the
42 remainder of Southeast Alaska, rural residents of Southeast
43 Alaska have C&T?

44
45 VICE-CHAIR GARZA: Okay, that's something
46 to think about over lunch. Okay, Steve?

47
48 MS. EDENSHAW: Madame Chairman? Patti?

49

VICE-CHAIR GARZA: Okay, Jolene.

00164

1 MS. EDENSHAW: I would like to address your
2 body here. I'm a subsistence fisherman. I go out, I have
3 my own boat and my own seine and my children go with me. I
4 have four kids that I take. I fish for my brothers who
5 don't live here, my sister who doesn't live here, my aunts
6 and my uncles who aren't from here. I can sit here and
7 argue all day with this point. I don't want to offend
8 anybody, Floyd, I heard your side of your story. I do what
9 you do, I share everything that I have. When there's
10 feasts in Hydaburg, everybody that's ever been to Hydaburg
11 can tell you this community shares all of their Native food
12 and culture with everybody anywhere.

13
14 To do what you're doing here, your proposal to lift
15 the boundaries of our area -- there's already animosity.
16 Klawock -- my aunt just testified that Klawock didn't get
17 their supply this year. They called us and asked can you
18 folks get us fish. I have aunts and cousins and relatives
19 up in Craig and Klawock. It's different when you ask. My
20 grandfather, his family lived in Hetta. There's a
21 homestead down there, his house. If you go down there,
22 there's remains. Our family, our history is there in Hetta
23 and in Eek. The Nicks family own Hetta; the Matcom (ph)
24 family lived in Eek. People go down there. We take our
25 children and we camp there.

26
27 VICE-CHAIR GARZA: Jolene.

28
29 MS. EDENSHAW: The people that come in from
30 different areas like she said, fly in, they don't have to
31 come to Hydaburg. They go the back end, through Deer Bay.
32 They go around the back end and they go down there, take
33 their boats like what Dolly said. They can come in without
34 being noticed, but they are noticed. It's very noticeable.
35 If you take these boundaries away, it's going to say it's
36 okay for anybody from any area to come in here. It's going
37 to cause hardship. Hydaburg always gets blacklisted for
38 different things. It's not right.

39
40 I urge you to not support this proposal for the
41 simple fact that it's going to cause a bigger hardship on
42 this community and other communities. It's not right. I
43 don't go to Klawock to fish, even if there was fish there.
44 I don't do that. It's the way we were raised and the way
45 we were taught. You fish and you hunt and you do your way
46 of life in the area you're brought up in. If you want
47 something you barter. You trade. You share. You do not
48 go to somebody else's back home -- their back yard and
49 take. And that's what this would be doing. That's how I

50 feel. That's what I see happening if you do this, if you

00165

1 elect to support this proposal. I urge you to not support
2 this proposal for that reason. Thank you.

3

4 VICE-CHAIR GARZA: Can you state your name?

5

6 MS. EDENSHAW: Oh, I'm sorry. Jolene
7 Edenshaw. Thank you.

8

9 VICE-CHAIR GARZA: Okay. We had Steve --
10 yeah, Steve and then Victor. Because we did ask for public
11 comment and there wasn't any probably because we didn't
12 really understand this proposal so we need to have that
13 public comment. Steve?

14

15 MR. DILTS: Okay, thank you. I'll keep it
16 very brief. I understand that this Council is addressing a
17 very important issue that relates to Hydaburg and I'd like
18 it on record that I concur with Viola regarding our
19 Hydaburg area having priority too. The regulation you're
20 trying to change will drastically impact Hydaburg. As it
21 is, people are already calling our IRA cooperative and
22 asking permission to come down here. And I think that that
23 system can be addressed. And if this Council can address
24 changing it to meet that, that would be a way of
25 recognizing the people that live in the area. I heard a
26 Council member talking about hooligans. You know, there
27 were hardly any hooligan. And I heard Mr. Littlefield
28 talking about Sitka having a preferential system allowing
29 Sitka to fish. Kake had a problem.

30

31 Just previously Mr. Carle was addressing the
32 405,280 in District 4. I stipulated that it was in
33 District 4 and covered the vast area. But also protecting
34 the markers of Hetta and keeping them so that there can be
35 a sustained yield. It used to be 200,000 plus sockeyes
36 that came there. Now it's less than that. And if we
37 change the regulation to allow a lot more people to come
38 down here then we're not doing our job as a Council. And
39 as myself, as a representative of Hydaburg. And I do
40 believe that we have the Hydaburg Cooperative Association
41 IRA in place. And it's a Federal entity that goes along
42 with the regulation that you're trying to change. You
43 know, if we can recognize each community as the people who
44 live there, their homes and their needs. I think that's
45 where we have to start. Thank you very much.

46

47 VICE-CHAIR GARZA: Okay, there's a request
48 for response by Mary and then John and then we also have
49 Victor Burgess next. Mary?

00166

1 MS. RUDOLPH: Yeah, I'm 63 years old and
2 what I'm talking about is trying to protect our village and
3 this what -- the concerns we have. And if we don't change
4 this regulation to protect our villages, it's open
5 statewide. The people that you see coming in here line up
6 in different places. They will be restricted not to come
7 here but they will -- under State can do and fish where
8 they want with a permit. But this would close our areas to
9 rural residents of Southeast. And this, what it's trying
10 to do is keep it open for 88,000 people. What we're trying
11 to do, I want to protect my area -- we're hurting bad and I
12 want to protect our area. And it's protecting all the rest
13 of us. We're looking at the total outcome of what's going
14 to happen to us.

15
16 Dolly's looking at the overall picture of me coming
17 here. I wouldn't come here because I'm from Hoonah. Like
18 I said, we have our Indian boundaries that we had long
19 before the white man came here. That respect is still
20 there. And when you say you send food over there to send
21 some here, I got my friend there. She says she doesn't
22 have seaweed. I've got seaweed; I'm going to send her
23 seaweed. That's how we've always been. I am not going to
24 vote for something that's going to hurt my area. I am not
25 going to vote for it. But if it's something that's going
26 to hurt your area, you feel you want the 88,000 people to
27 be coming here, that's your choice. But what we're trying
28 to do is protect it and put it within the rural area so
29 that we're protected. And that's what I want to do.

30
31 MR. DILTS: Okay, thank you.

32
33 VICE-CHAIR GARZA: We have.....

34
35 MS. EDENSHAW: Madame Chairman. Can we
36 have kind of a point of clarification.....

37
38 VICE-CHAIR GARZA: Yes.

39
40 MS. EDENSHAW:because I think there's
41 some mix-up here.

42
43 VICE-CHAIR GARZA: Right, I'll have Fred
44 clarify.

45
46 MS. EDENSHAW: Could you, please? Thank
47 you.

48
49 MR. LITTLEFIELD: Can I talk to this -- he

50 addressed me personally and I'd like to respond to that.

00167

1 VICE-CHAIR GARZA: Okay, John will respond
2 and then Fred we need to clarify on C&T again.

3
4 MR. CLARK: Sure.

5
6 MR. LITTLEFIELD: The reason I'm in support
7 of this is we have a coho C&T determination in Sitka right
8 now. We have -- this is a State program that we're
9 looking at in the book here -- that we're talking about.
10 These C&T determinations under State. What we're talking
11 about now is a C&T determination under the Federal program.
12 That gives us -- I've asked the State several times to look
13 into the charter boats that are fishing on our cohos -- the
14 non-resident. The people who are coming in right now
15 legally. We have no way to stop them. This program -- the
16 Feds -- we have the right to stop them and limit that. No
17 one is going to come to Sitka on a 300 fish stream. No one
18 is, they're crazy. And hopefully the locals will then do
19 it. So I see this as a positive step and that's why I was
20 mentioning that stream.

21
22 MR. DILTS: Okay.

23
24 VICE-CHAIR GARZA: Okay, so we need
25 clarification on what we're talking about.

26
27 MR. DILTS: But I thank you very much. I'm
28 for anything that protects our community subsistence
29 lifestyle. Thank you.

30
31 MR. CLARK: Would you like some
32 clarification?

33
34 VICE-CHAIR GARZA: Fred, yeah. Oh, okay
35 wait. Victor had asked to speak and then we need to have
36 Fred clarify the C&T stuff. Victor?

37
38 MR. BURGESS: That's what I was going to
39 do, is try to clarify (indiscernible - away from
40 microphone).

41
42 VICE-CHAIR GARZA: Okay, so Fred go ahead.

43
44 MR. CLARK: Okay. Let me start with what
45 John was saying about the State system as opposed to the
46 Federal system. Under the State system, it's more than
47 88,000 because in the State system, every resident of the
48 State is considered a subsistence user. But this
49 regulation that we're looking at is actually the Federal

50 regulation. And the Federal regulations were assumed from

00168

1 the State regulations. So they -- what you see in the
2 booklet are actually Federal regulations. They come from
3 the State regulations but they are Federal regulations.
4 The current -- the way the State works now is the State
5 doesn't recognize communities as subsistence communities.
6 They recognize areas as subsistence areas. Areas that have
7 been customary and traditionally used but they don't say
8 who used them. So on the State system, it's very broad
9 that way.

10
11 On the Federal system, the current regulations look
12 at particular communities and say those communities have
13 customarily and traditionally used these species in these
14 areas. So if you look at Hydaburg, residents of the
15 townsite of Hydaburg have a positive customary and
16 traditional use for salmon, Dolly Varden, trout, smelt and
17 hooligan in District 3, Section 3A. Nowhere else. Only
18 District 3, Section 3A. Somebody was talking a little bit
19 ago about Metlakatla. Metlakatla is not listed in these
20 C&Ts, along with places like Wrangell and Petersburg.
21 They're not even listed. So what we have are existing
22 customary and traditional use determinations for particular
23 communities for the species that we're talking about in
24 particular areas. There are three aspects: one aspect is
25 the community, one aspect is the species and the other
26 aspect is the place where the fishing takes place.

27
28 MR. MARTIN: Madame Chair, a question?

29
30 VICE-CHAIR GARZA: Okay.

31
32 MR. MARTIN: Fred, I think there's
33 confusion here on what this proposal will do to
34 communities. Will this proposal open up certain
35 communities for just anybody to come in or what's it doing?

36
37 MR. CLARK: Under.....

38
39 VICE-CHAIR GARZA: Okay, before that. Okay
40 for Mary I think the clarification is that although these
41 regulations -- these C&T determinations were made by the
42 Board of Fish back in '89, the Federal government has
43 already adopted them. So Hydaburg now has C&T for these
44 listed species. And Hoonah already has C&T for those
45 listed species. So in terms of protecting that protection
46 is at least on one base is already there. So this proposal
47 -- so this is what Harold's trying to clarify -- is okay
48 what does this proposal do in terms of expansion. And the
49 concern that I have heard from Hydaburg as well as from

50 Klawock is that it will allow other people in and they

00169

1 don't want that. And there are other people who are
2 saying, well this is the way it was traditionally and we
3 support it. Correct?

4
5 MR. CLARK: I think that's a good
6 assessment.

7
8 VICE-CHAIR GARZA: Okay. And so I think we
9 need to break for lunch and I think that my position at
10 least I still do not support this proposal but if it does
11 go forward because there is support, I will ask to modify
12 the proposal to exclude Klawock and Hydaburg because I
13 think that is their wish. And if the other communities
14 choose to keep their communities in this so that all rural
15 residents of Southeast have C&T in their areas, then I'm
16 not going to object to that. But I know that Hydaburg and
17 Klawock will -- if we pass this, they will fight it tooth
18 and nail. And I have to voice their voice because that is
19 my job as being someone is from Craig and Klawock.

20
21 MR. STOKES: Madame Chairman, I would like
22 speak on this after.....

23
24 VICE-CHAIR GARZA: Yeah, you have been
25 trying to -- I'm sorry, Dick.

26
27 MR. STOKES: Yeah. But Wrangell and
28 Petersburg is not included in this. And I have a lot to
29 say on this so I'll wait until after lunch.

30
31 VICE-CHAIR GARZA: Yeah, Wrangell and
32 Petersburg should be included.

33
34 MS. WILSON: Madame Chair, before we break
35 for lunch, I wanted to ask -- are we going to be moving to
36 adopt the new one, the amended one or -- that includes
37 salmon and hooligan or are we going to adopt just the one
38 with trout?

39
40 CHAIRMAN THOMAS: That remains -- depending
41 on the motion made.

42
43 VICE-CHAIR GARZA: Right. It will depend
44 on how the motion is brought forward.

45
46 MS. WILSON: Okay.

47
48 VICE-CHAIR GARZA: Okay, Mary?

49

MS. RUDOLPH: Madame Chairman, when you say

00170

1 other people, are you saying that if we vote this in, like
2 for Hoonah, what we have now is already there but if we
3 vote in favor of this, we're going to have more people
4 coming in or are you saying right now we don't have that
5 many people coming in because we're under C&T?

6
7 VICE-CHAIR GARZA: It's all speculation. I
8 mean currently.....

9
10 MS. RUDOLPH: What's the difference between
11 what we have now and what we're trying to propose here?

12
13 VICE-CHAIR GARZA: Right. Right. Let me
14 just use Klawock as an example. Okay, Klawock has C&T for
15 sockeye for Klawock Lake. People come from off island to
16 Klawock and, let me mince no words, it pisses off everybody
17 in Klawock. They have managed to close it to weekend
18 fishing just for the sake of protecting Klawock fish for
19 Klawock people. And they say that that's not enough and
20 we've already heard testimony the Klawock people didn't get
21 their sockeye. They have C&T and C&T is basically your
22 bottom line. The only place we've actually seen C&T get
23 kicked in to the point system is in Nome. And that was
24 hard. That was a very hard issue up in Nome. But if it
25 were expanded -- so basically C&T becomes important if the
26 resource is low. Because right now for Klawock you would
27 say okay the Klawock people have priority but the off
28 island, the Ketchikan people can still come in using the
29 State permit system and take it under personal use. The
30 same number of fish as the Klawock people take.

31
32 Okay and so under the current system, if the stock
33 were to go down, then there would be a mechanism that would
34 say, okay Ketchikan people, you don't have C&T, your
35 personal use disappears. We have to protect it for Klawock
36 until the stock gets better. Now if C&T were allowed for
37 all Southeast residents, then there would be no mechanism
38 to say only Klawock -- except -- okay. Then initially you
39 would say okay well Ketchikan people still have -- or the
40 Saxman people still have right. Hoonah people still have
41 right to come down to Klawock. I know Sitka people who
42 come down to Klawock Lake. Okay, so what it would take
43 before only Klawock people can fish under C&T is that the
44 stock is so incredibly low that, like in Nome, they were
45 going down -- when they went to their eight point system,
46 they were trying to figure out which of the 100 Elders
47 deserved salmon more than anybody else. And that's when
48 C&T kicked in.

49

MS. RUDOLPH: So would you use that as a

00171

1 rural example? Like if you say, well as a rural when is a
2 rural area. And Juneau can come in if we vote this in?

3
4 VICE-CHAIR GARZA: No, Juneau fits.....

5
6 MS. RUDOLPH: Well, Juneau can't come in if
7 we vote this in but they can right now if.....

8
9 VICE-CHAIR GARZA: No, Juneau comes in
10 under personal use. Juneau and Ketchikan are different.
11 They can come in as personal use and take it.

12
13 MS. RUDOLPH: But if we vote this in, this
14 doesn't protect the rural areas, is what you're saying?

15
16 MS. WILSON: It does.

17
18 VICE-CHAIR GARZA: It.....

19
20 MS. RUDOLPH: So where I'm concerned is
21 what's a rural area?

22
23 VICE-CHAIR GARZA: It doesn't protect a
24 community from rural residents from other communities to
25 come in -- it doesn't protect them during times of
26 shortages unless it's really, really short.

27
28 MR. CLARK: The exist -- let me use Hoonah
29 as an example. Right now the residents of Hoonah have
30 positive customary and traditional use determination for
31 those species of salmon, Dolly Varden, trout, smelt and
32 hooligan in District 14, Sections 14B and C. So that's
33 only the area right out in front of Glacier Bay. Don't
34 have a positive customary and traditional use determination
35 for anywhere else in Southeast, other than just those
36 locations. So in times of extreme shortage in that area,
37 that's when Section 804 would kick in. Which means you
38 start differentiating between users who had that customary
39 and traditional use. It's a finer cut than the customary
40 and traditional use determination.

41
42 MR. KOOKESH: So we own Basket Bay.

43
44 MS. RUDOLPH: So if we vote for this, this
45 will help -- will not help the rural areas. But if we
46 don't vote for it then it will keep us protected?

47
48 MR. CLARK: It's a two edged sword.

49

CHAIRMAN THOMAS: Hungry.

00172

1 VICE-CHAIR GARZA: And so we will -- do we
2 have lunch provided over at Senior Center again?

3
4 UNIDENTIFIED SPEAKER: I believe it is.

5
6 VICE-CHAIR GARZA: Okay and we heard that
7 there was shrimp today. It's eight dollars. It's not a
8 long walk but it is pouring rain. We will recess until
9 1:15 and hopefully we'll come back with clear minds.

10
11 (Off record)

12
13 (On record)

14
15 CHAIRMAN THOMAS: Madame Chair?

16
17 VICE-CHAIR GARZA: We're technically back
18 in place. Bill?

19
20 CHAIRMAN THOMAS: I am prepared to offer a
21 motion.

22
23 VICE-CHAIR GARZA: Mr. Thomas.

24
25 CHAIRMAN THOMAS: Madame Chairman, I move
26 that we adopt 22A only, which reads (indiscernible) area
27 cutthroat trout, rainbow trout and Dolly Varden char, rural
28 resident of the Southeast Alaska area, just addressing that
29 language only. To do otherwise I think we would be
30 alienating the community of Wrangell, which is where the
31 proposal came from. And it would be restricted to the
32 language that's in the book. I so move.

33
34 VICE-CHAIR GARZA: Okay, so Bill you are --
35 is there a second?

36
37 MS. WILSON: I second that, Madame
38 Chairman.

39
40 VICE-CHAIR GARZA: The motion has been
41 seconded. So you are speaking in favor of Proposal 22.....

42
43 CHAIRMAN THOMAS: The first -- Part A of
44 22.

45
46 VICE-CHAIR GARZA: And so Part A -- if I'm
47 looking at Page 8, are you speaking only to the
48 Southeastern Alaska area?

49

CHAIRMAN THOMAS: Yes.

00173

1 VICE-CHAIR GARZA: Okay. So then the new
2 regulation should read that cutthroat trout, rainbow trout
3 and Dolly Varden char for rural residents of Southeast
4 Alaska.

5
6 CHAIRMAN THOMAS: Yes.

7
8 VICE-CHAIR GARZA: So that is the motion.
9 Fred?

10
11 MR. CLARK: Just a clarification. That is
12 including Yakutat as well?

13
14 CHAIRMAN THOMAS: They're Southeastern.

15
16 MR. CLARK: Okay because in the regulations
17 -- the way the regulations read, it has a Yakutat area and
18 a Southeast area. So I just want to make sure that you
19 were talking about them both together.

20
21 CHAIRMAN THOMAS: We're a regional council.

22
23 MR. CLARK: Okay.

24
25 CHAIRMAN THOMAS: Yakutat's part of the
26 region.

27
28 MS. WILSON: It says southern Alaska area,
29 so.

30
31 CHAIRMAN THOMAS: Whether they like it or
32 not, they're part of the region.

33
34 VICE-CHAIR GARZA: Bert?

35
36 MR. ADAMS: I just need a clarification on
37 this -- what we're doing is we are -- the motion is to read
38 that these species here are going to be regarded as C&T?

39
40 VICE-CHAIR GARZA: Yes.

41
42 MR. ADAMS: Is that your understanding?

43
44 VICE-CHAIR GARZA: Yes. So is everyone on
45 Page 8?

46
47 MR. ADAMS: That's not the -- Madame
48 Chairman, that's not going to include the smelt and
49 the.....

00174

1 CHAIRMAN THOMAS: No, just what it says
2 there.

3
4 MR. ADAMS: Just what it says there.
5

6 VICE-CHAIR GARZA: Okay, so it's basically
7 he proposed that we support under how should the new
8 regulation read, that first sentence. That's the only
9 thing we're discussing as part of this proposal. So it
10 would be Southeastern Alaska area, cutthroat trout, rainbow
11 trout and Dolly Varden char. All rural residents of
12 Southeastern Alaska area would have C&T determination. Is
13 that correct?

14
15 Okay, Bill.
16

17 MR. KNAUER: You know, Madame Chairman, I
18 think it is very important that you are a regional council,
19 yes. However, the fishery management areas -- you cover
20 two fishery management areas. You cover the Yakutat
21 fishery management area and the Southeastern Alaska fishery
22 management area. What I heard Bill say was that he wanted
23 it to include both of those. In other words, your -- the
24 geographic area that you cover as opposed to just the
25 (indiscernible). Is that my interpretation?

26
27 VICE-CHAIR GARZA: Okay. So what I was
28 asking Bert, if you have no objections to that, then we
29 would include Yakutat since the intent of this region is to
30 be all of Southeast.

31
32 MR. KNAUER: I have no objections to that.
33

34 CHAIRMAN THOMAS: Well, I have a question
35 then.

36
37 MR. KNAUER: Okay.
38

39 CHAIRMAN THOMAS: If Yakutat is an area by
40 itself, why are they part of this region?

41
42 MR. KNAUER: It's just as in the game -- or
43 in the wildlife management units, you cover six different
44 wildlife management units and.....
45

46 CHAIRMAN THOMAS: Well, five and part of a
47 six.
48

49 MR. KNAUER: Yeah, five wildlife management

50 units. We don't have a regional council for each wildlife

00175

1 management unit. Likewise we don't have a regional council
2 for every fishery management area, so.

3

4 CHAIRMAN THOMAS: Well, I'm working my
5 heart out to avoid any gray areas in the interpretations of
6 what our region involvement is.

7

8 MR. KNAUER: Right.

9

10 CHAIRMAN THOMAS: And so that's all I'm
11 trying to do. By suggesting anything to clarify that only
12 muddies the waters. So while I appreciate your input, it
13 does have a tendency to attract some confusion. And if
14 it's not detriment to anybody then I think we're home free.

15

16 MR. KNAUER: I concur but when I have to
17 write the regulations, I have to write them so that they do
18 address both if that is the intent of the proponent and
19 your intent in the motion. And it sounds like they are.

20

21 VICE-CHAIR GARZA: Okay.

22

23 CHAIRMAN THOMAS: Thank you.

24

25 VICE-CHAIR GARZA: So the motion is for
26 Southeast Alaska area, which includes Yakutat, will have
27 customary and traditional use of cutthroat trout, rainbow
28 trout and Dolly Varden char. Is there discussion on that
29 motion?

30

31 MR. ADAMS: Madame Chairman?

32

33 VICE-CHAIR GARZA: Mr. Adams.

34

35 MR. ADAMS: What is the -- later on, you
36 know, on Page 22 there's a recommendation to include, you
37 know, smelt and hooligans in this category. And back.....

38

39 CHAIRMAN THOMAS: Point of order, Madame
40 Chair. That's not relevant to this motion.

41

42 VICE-CHAIR GARZA: The maker of the motion
43 did not include that in the motion.

44

45 MR. ADAMS: So you could amend it.

46

47 CHAIRMAN THOMAS: Only what's in front of
48 you is the motion.

49

MR. ADAMS: But what -- Madame Chairman,

00176

1 can I -- excuse me for my confusion here but how are we
2 going to address those other two issues that were
3 recommended.....

4
5 CHAIRMAN THOMAS: As another proposal.

6
7 MR. ADAMS: Okay, so that's supposed to
8 come up later.

9
10 CHAIRMAN THOMAS: It's scheduled to.

11
12 MR. ADAMS: Okay, thank you.

13
14 VICE-CHAIR GARZA: John?

15
16 MR. LITTLEFIELD: Just a question on how
17 we're going to vote -- if we don't amend this, I don't
18 believe that the smelt and euchalon could come up again as
19 a proposal, is that correct? By the way the Board rules?
20 We can't bring those two up in.....

21
22 CHAIRMAN THOMAS: No.

23
24 MR. LITTLEFIELD:a separate proposal?
25 They have to be part of this or.....

26
27 MR. CLARK: No, they could be included as
28 an amendment to.....

29
30 CHAIRMAN THOMAS: To this proposal.

31
32 MR. CLARK:to the motion. Correct.

33
34 CHAIRMAN THOMAS: But not on their own.

35
36 MR. CLARK: Right.

37
38 VICE-CHAIR GARZA: So the other part of the
39 proposal that would come up would be on gear. The second
40 part, rod and reel.

41
42 MR. CLARK: That would be the second part
43 of the proposal.

44
45 MR. ADAMS: Madame Chairman.

46
47 VICE-CHAIR GARZA: Bert.

48
49 MR. ADAMS: In that case, after that

50 clarification, I would like to add smelt and euchalon to

00177

1 the.....

2

3 VICE-CHAIR GARZA: So you need to make a
4 motion to amend.

5

6 MR. ADAMS: I make a motion to amend.....

7

8 MR. LITTLEFIELD: I'll second.

9

10 VICE-CHAIR GARZA: Okay, so clarify your
11 motion please.

12

13 MR. ADAMS: That smelt and hooligans be
14 included in this category.

15

16 VICE-CHAIR GARZA: And Mr. Littlefield has
17 seconded that motion.

18

19 MR. MARTIN: Madame Chair?

20

21 VICE-CHAIR GARZA: Mr. Martin.

22

23 MR. MARTIN: I think it's important that
24 the local people understand that this particular proposal
25 does not include salmon.

26

27 VICE-CHAIR GARZA: Okay.

28

29 MR. STOKES: Madame Chairman?

30

31 VICE-CHAIR GARZA: Mr. Stokes.

32

33 MR. STOKES: I speak against his amendment
34 and how are you going to get six hooligan to feed a
35 family.....

36

37 CHAIRMAN THOMAS: Out of order. And we
38 normally.....

39

40 VICE-CHAIR GARZA: Okay. The
41 clarification, Mr. Stokes, is that that will taken up
42 separately. That's a different part. So if you look at
43 that one and where you have the line on your paper -- I can
44 see that. We're addressing only what's above it. What's
45 below it, the six, will be the next proposal.

46

47 CHAIRMAN THOMAS: So Part A and Part B.

48

49 MR. STOKES: Thank you. Okay.

00178

1 VICE-CHAIR GARZA: Okay. Further
2 discussion. Call for question.

3
4 CHAIRMAN THOMAS: Calling for the question.

5
6 VICE-CHAIR GARZA: Question has been
7 called. All in favor, signify by saying aye.

8
9 IN UNISON: Aye.

10
11 VICE-CHAIR GARZA: Opposed?

12
13 CHAIRMAN THOMAS: No. That was on the
14 amendment right?

15
16 UNIDENTIFIED SPEAKER: Uh-huh
17 (affirmative).

18
19 VICE-CHAIR GARZA: Okay. The amendment
20 passes with one no. So we are now voting on the full
21 motion. The full motion would be that for Southeast and
22 Yakutat there would be C&T determination for all rural
23 residents for cutthroat trout, rainbow trout, Dolly Varden
24 char, smelt and hooligan. Question?

25
26 MS. WILSON: Call for the question.

27
28 CHAIRMAN THOMAS: Question.

29
30 VICE-CHAIR GARZA: Question on the main
31 motion as amended. All in favor signify by saying aye.

32
33 IN UNISON: Aye.

34
35 VICE-CHAIR GARZA: Opposed?

36
37 UNIDENTIFIED SPEAKER: No.

38
39 VICE-CHAIR GARZA: Okay, the motion passes.
40 Okay and then we have it split up so there is a Proposal
41 22B, method, season and bag limit.

42
43 CHAIRMAN THOMAS: Madame Chair, I'd move we
44 adopt Part B.

45
46 VICE-CHAIR GARZA: Is there a second.

47
48 MR. CLARK: I'll second that motion.

49

VICE-CHAIR GARZA: It's been moved and

00179

1 seconded and I assume there will be an amendment.

2

3 MR. CASIPIT: Point of order. May I ask if
4 the Council would like to have the staff analysis on the
5 second part because we haven't presented that yet.

6

7 CHAIRMAN THOMAS: That's appropriate, even
8 calling a motion.

9

10 VICE-CHAIR GARZA: Okay, but before we do
11 that, what we will need to do to the motion is to amend it
12 because we do have the issue of six hooligans a day.

13

14 MR. CASIPIT: Madame Chair, the proposal
15 from Mr. Eagle from Wrangell asks for seasons, bags --
16 season harvest limits and methods and means only for
17 cutthroat, rainbow trout and Dolly Varden.

18

19 VICE-CHAIR GARZA: Okay. So is that your
20 staff analysis?

21

22 MR. CASIPIT: No.

23

24 VICE-CHAIR GARZA: Okay, we'll go to staff
25 analysis. Okay.

26

27 MR. CASIPIT: I was trying to clarify
28 something -- we wish.

29

30 VICE-CHAIR GARZA: Okay, a staff analysis.

31

32 MR. CASIPIT: Yes, my name is Calvin
33 Casipit. I'm the subsistence staff biologist for the
34 Forest Service, Alaska region. I just wanted to point out
35 a few things in our staff analysis that you may be
36 interested in and again, this was proposed by Bruce Eagle
37 of Wrangell. It requests a year-round season for
38 cutthroat, rainbow trout and Dolly Varden. The proposed
39 harvest limit would be six of each species per day. No
40 size limit and the method of take would be rod and reel
41 with any bait or lure. In Table 1 on Page 25 we present
42 what information that is available on trout population
43 levels in Southeast Alaska and some various lake systems.
44 Populations range from very low populations of say 300 or
45 200 fish to very large populations over 10,000 fish. As
46 far as harvest records for cutthroat, rainbow trout and
47 Dolly Varden -- existing harvest for these species has been
48 under State sport fishing regulation. And we present, in
49 Table 2, recent data of harvest and catch of those species

50 in Southeast. Our preliminary conclusion.....

00180

1 VICE-CHAIR GARZA: So wait, that harvest
2 data is on what page?

3
4 MR. CASIPIT: It's on Page 27. I'm sorry,
5 Table 2. And you can see the existing harvest levels from
6 '96, '97 and '98. Our preliminary conclusion is to modify
7 the proposal to provide a Federal subsistence fishing
8 permits for rainbow trout, cutthroat trout and Dolly Varden
9 char in Southeast Alaska management area. These permits
10 would be available for cutthroat/rainbow trout on the
11 following waters only: Baronof Lake, Florence Lake,
12 Hasselborg Lake, Mirror Lake, Virginia Lake and Wilson
13 Lake. Conditions of the permit would read as follows:
14 retention of the 10 Dolly Varden char with no minimum size,
15 retention of six cutthroat trout or rainbow trout in
16 combination with a size slot limit of 11 inches to 22
17 inches using a rod and reel with bait only -- with no bait.
18 And there would be no season restrictions. In addition,
19 the permits should require harvest reporting to include
20 numbers and size of harvested fish and the location and
21 date of the harvest. Our justification on this is that the
22 reason we increased to 10 Dolly Varden is because that's
23 the existing State sport regulation so we didn't feel a
24 need to restrict subsistence users to only six Dolly
25 Varden. We retained the limit of six cutthroat trout and
26 rainbow trout in combination although we did change with --
27 instead of having a no minimum size limit, we did go with a
28 slot limit of 11 to 22 inches with an 11 inch minimum size
29 limit. The cutthroat and rainbow trout have that one
30 chance to spawn during their lifetime before entering the
31 harvest slot. And that's basically our analysis. I'd be
32 happy to answer questions. At this point, I think maybe
33 the State has some concerns and would like to make their
34 presentation.

35
36 MR. HOFFMAN: Madame Chairman, my name is
37 Steve Hoffman, Fish and Game out of Ketchikan. The State
38 agree with the preliminary total staff analysis and
39 recommendations that was just highlighted by Cal. We still
40 remain opposed to the use of bait in any trout fishery in
41 conjunction with the length limit. Hooking mortality with
42 fish release is 48 percent when caught with bait. So
43 therefore we agree with the preliminary analysis.

44
45 VICE-CHAIR GARZA: Okay, and there are
46 other agencies.

47
48 (No audible responses)
49

VICE-CHAIR GARZA: is there written public

00181

1 comment?

2

3 MR. CLARK: There are but -- I'm trying to
4 dig them up here.

5

6 (Pause)

7

8 MR. CLARK: Madame Chairman?

9

10 VICE-CHAIR GARZA: Fred.

11

12 MR. CLARK: The written public comments are
13 on Page 7. Edna Bay Fish and Game Advisory Committee was
14 in favor of the proposal. And they were in general
15 agreement with the rationale. And then as we noticed
16 before, the Eastern Prince of Wales Fish and Game Advisory
17 Committee was in opposition to the proposal.

18

19 VICE-CHAIR GARZA: Okay, so is there public
20 comment on -- no, before we get to public comment, we have
21 to decide if we're going to stay with the proposal or a
22 modified proposal that's consistent with the Federal staff
23 recommendation because that will effect public comment. So
24 if we stay with the current proposal then actually
25 subsistence harvest would be less than personal use, right?

26

27 MR. CLARK: Sport.

28

29 VICE-CHAIR GARZA: Sport.

30

31 MR. CLARK: Sport Dolly Varden.

32

33 VICE-CHAIR GARZA: Sport Dolly Varden.

34

35 MR. STOKES: Madame Chairman, I don't
36 really appreciate the size limit. I'm one that does a lot
37 of fishing with my grandchildren and we don't get that many
38 big fish and personally when we cook them, I don't really
39 care for a large one. And many of my friends that I've
40 talked with, they like to catch one that's between eight
41 and nine inches long -- at a good frying pan size. And
42 normally when we're out hunting, we get up in the morning,
43 we get our breakfast by catching a few trout and none of
44 them are that big. There are a few large ones out there
45 but if you're going to limit yourself to these cutthroat,
46 you kill more by catching them and then releasing them when
47 you're trying to hold them. So I speak against the size
48 limit.

49

VICE-CHAIR GARZA: Marilyn?

00182

1 MS. WILSON: Madame Chair, this was
2 probably one that you could answer. I was wondering how
3 they got the figure of 48 percent for mortality rate for
4 trout that was caught with bait. I don't see how they
5 could -- how you could figure that.

6
7 CHAIRMAN THOMAS: An autopsy.

8
9 MR. HOFFMAN: Madame Chairman, Steve
10 Hoffman, Fish and Game. That's based on a series of result
11 studies that were done in the Lower 48 and consultation
12 with other agencies and literature research. There's been
13 a series of studies done on the impact of the use of bait
14 on cutthroat and the mortality factors associated with it.

15
16 VICE-CHAIR GARZA: Okay, Bert and then
17 John.

18
19 MR. ADAMS: Okay, I just wanted to go back
20 to this method on rod and reel. It says.....

21
22 UNIDENTIFIED SPEAKER: I can't hear you.

23
24 VICE-CHAIR GARZA: Speak up.

25
26 MR. ADAMS: Sorry. On method, it says rod
27 and reel, any bait or lure. And that would be kind of hard
28 to do for smelt and hooligan. So I'd like to maybe make an
29 amendment to include dipnets. And Marilyn said that there
30 is a Hawaiian net that they used as well for the catching
31 of smelt and hooligan.

32
33 MR. STOKES: Madame Chairman, in Wrangell
34 we don't use either of those but we use a beach seine.

35
36 VICE-CHAIR GARZA: Okay, who had their hand
37 up over here? Oh, John.

38
39 MR. LITTLEFIELD: Madame Chairman, I would
40 like to make a motion to suspend the rules for the purposes
41 of considering this by paragraph. In other words,
42 considering the season and bag limit as individual items.

43
44 MS. WILSON: I second that.

45
46 VICE-CHAIR GARZA: Well, we have a motion
47 on the table.

48
49 MR. LITTLEFIELD: This is a precedence

50 motion. The suspended rules take precedence.

00183

1 VICE-CHAIR GARZA: Okay, it's been moved
2 and seconded to suspend the rules that will suppress motion
3 on the current proposal?

4
5 MR. LITTLEFIELD: No, Madame Chairman, the
6 motion would be considered by paragraph. In other words,
7 there are three paragraphs: method, season and bag limit
8 -- they would be considered individually. We would vote on
9 all three of those as an individual item rather than
10 lumping them together in one motion.

11
12 CHAIRMAN THOMAS: Point of information,
13 Madame Chair.

14
15 VICE-CHAIR GARZA: Bill.

16
17 CHAIRMAN THOMAS: Not to take issue but
18 there is no motion to suspend the rules. To suspend the
19 rules is a request to the presiding officer, left to the
20 presiding officer providing there's no objection. So that
21 was an inaccurate statement to say that a motion to suspend
22 took precedence because the only thing that can over-
23 preceed an existing motion is a motion to table. That's
24 just a point of information, Madame Chair. You're okay, I
25 just wanted to make sure that we understood that.

26
27 VICE-CHAIR GARZA: Okay, so then does it
28 still take two-thirds vote?

29
30 UNIDENTIFIED SPEAKER: Yes.

31
32 VICE-CHAIR GARZA: Okay. So is there any
33 objection to suspending the rules.....

34
35 CHAIRMAN THOMAS: No objection.

36
37 VICE-CHAIR GARZA:to take these up?

38
39 CHAIRMAN THOMAS: No objection.

40
41 VICE-CHAIR GARZA: Hearing none,
42 Mr. Littlefield, do you have an idea of how to approach
43 each of the three?

44
45 MR. LITTLEFIELD: Madame Chairman, it seems
46 to me that there are questions on all three of these that
47 have been brought up so far so what I would like to do is
48 address first the method. And so I will make a motion that
49 we adopt the method stated.

00184

1 MR. ADAMS: Madame Chairman?

2
3 MS. RUDOLPH: I second that.

4
5 VICE-CHAIR GARZA: Is there a second?

6
7 MS. RUDOLPH: Second for discussion
8 purpose.

9
10 VICE-CHAIR GARZA: Bert?

11
12 MR. ADAMS: I'd like to call Bill up to
13 just explained to me, you know, how this should go. So
14 maybe he can come up and explain it a little further
15 (indiscernible).

16
17 MR. KNAUER: Yes, Madame Chairman. I think
18 there is some confusion. The methods and means that are
19 proposed here, either in the original proposal or in the
20 preliminary conclusion, relate only to cutthroat trout,
21 rainbow trout and Dolly Varden. They have no relation to
22 smelt and hooligan. I think that's very important for
23 Council members to keep in mind. The methods that you
24 currently use for smelt and hooligan would be unaffected by
25 what you are considering in 22B.

26
27 VICE-CHAIR GARZA: Okay, so then the -- sit
28 back down -- then the question is.....

29
30 MR. KNAUER: Yes, ma'am.

31
32 VICE-CHAIR GARZA: Do we have current regs
33 that say what the methods are for hooligan and smelt or
34 does that need to be done as an amendment to this?

35
36 MR. CASIPIT: There are no specific
37 regulations in Southeast Alaska as to the methods and means
38 for harvest of hooligan or smelt.

39
40 CHAIRMAN THOMAS: Say it again.

41
42 MR. CASIPIT: There are no specific methods
43 and means listed for the Southeastern Alaska area for.....

44
45 CHAIRMAN THOMAS: Are there vague ones?

46
47 MR. CASIPIT: Yes, they're general
48 regulations. I'll read you the list of allowable gear, if
49 I can find it here.

00185

1 CHAIRMAN THOMAS: What was wrong with
2 specifics in this case?

3
4 MR. CASIPIT: We adopted the State
5 regulations into the Federal regulations and there are no
6 specific regulations on the methods and means of taking
7 smelt and hooligan. It would go back to the general
8 provisions for taking a fish and the allowable gear for
9 taking a fish is: abalone iron, beach seine, cast net,
10 clam digger, drift gillnet, dipnet, diving gear, fish
11 wheel, fike net, grappling hook, hand line, hand purse
12 seine, herring pound, jigging gear, lead, long line,
13 mechanical jigging machine, pot, purse seine ring net, rod
14 and reel, scallop dredge, sea urchin rake, set gillnet,
15 shovel, spear, trawl and troll gear.

16
17 CHAIRMAN THOMAS: The only thing I'm
18 missing is troll gear.

19
20 VICE-CHAIR GARZA: So then the question is,
21 do we need method at all?

22
23 MR. CASIPIT: Madame Chairman, you do not
24 need to address smelt or hooligan because they essentially
25 can be harvested by any of those methods at any time and in
26 any quantity. So unless you wish to restrict yourselves
27 further on those species, you do not need to take any
28 action on those species.

29
30 CHAIRMAN THOMAS: Is there a regulation
31 number that they're referencing.

32
33 MR. CASIPIT: I would have to defer to Bill
34 on that because I don't have the actual CFRs in front of
35 me.

36
37 CHAIRMAN THOMAS: The reason I asked that
38 is because I think it's something we're going to have to
39 take a look at.

40
41 VICE-CHAIR GARZA: Okay, so we had a motion
42 on the table for rod, reel, any bait or lure for cutthroat
43 trout, rainbow trout and Dolly Varden. Is that correct?

44
45 UNIDENTIFIED SPEAKER: No, it was amended
46 to include smelt and eucalons.

47
48 UNIDENTIFIED SPEAKER: So it's already
49 taken care of, no need to amend it.

00186

1 VICE-CHAIR GARZA: Who amended it?

2
3 CHAIRMAN THOMAS: Bert.

4
5 MS. WILSON: That was for the main one.

6
7 VICE-CHAIR GARZA: No, that was for
8 Proposal 22A, right?

9
10 MS. WILSON: Uh-huh (affirmative). Madame
11 Chair?

12
13 VICE-CHAIR GARZA: Ms. Wilson.

14
15 MS. WILSON: I move to amend this motion
16 for method to say, rod and reel, any bait or lure for
17 cutthroat trout, rainbow trout and Dolly Varden char. Just
18 itemize it.

19
20 VICE-CHAIR GARZA: Okay, what was the
21 original motion before the amendment? Mr. Littlefield?

22
23 MR. LITTLEFIELD: It was to adopt them --
24 just to put it on the table. It was to adopt that language
25 hoping that an amendment would come up. The method is rod
26 and reel, any bait or lure and I have an amendment is she's
27 -- if this one doesn't fail -- or pass.

28
29 VICE-CHAIR GARZA: Okay, but it's my
30 understanding that this is only for rainbow trout and Dolly
31 Varden and char so we don't need your amendment, Marilyn.
32 Bert?

33
34 MR. ADAMS: Madame Chairman, that's the --
35 an explanation for us at this point. You know I am
36 satisfied with the way that that reads.

37
38 MR. LITTLEFIELD: There was no second to
39 that. I'll offer an amendment.

40
41 VICE-CHAIR GARZA: Okay, so we still -- we
42 have the original proposal for 22B in front of us.
43 Mr. Littleton?

44
45 MR. LITTLEFIELD: Madame Chairman, I would
46 like to amend that motion. And the motion should read,
47 method, rod and reel, no bait.

48
49 VICE-CHAIR GARZA: It would be rod and reel

50 or lure? Is a lure a bait?

00187

1 MR. LITTLEFIELD: That's staff
2 recommendation, Madame Chairman, no bait.

3
4 VICE-CHAIR GARZA: Say again?

5
6 MR. LITTLEFIELD: That was the staff
7 recommendation on Page 27. That was my motion. They
8 recommended rod and reel, no bait and I making that.....

9
10 MR. CASIPIT: Right, it still allows the
11 use of lures, it's just no bait.

12
13 VICE-CHAIR GARZA: So your amendment takes
14 out the word any bait -- any bait or?

15
16 MR. LITTLEFIELD: No, my motion is rod and
17 reel, no bait.

18
19 MR. STOKES: Madame Chairman?

20
21 VICE-CHAIR GARZA: Dick?

22
23 MR. STOKES: There is a period of time
24 during the season that bait is allowed. I forget what
25 dates those are but there's a certain time that it allowed.

26
27 VICE-CHAIR GARZA: Okay. While you're
28 coming up here, there is a need by the cook to find out
29 what time we're going to break for dinner so they can have
30 it nice and toasty and not all old and dried out in case we
31 meet forever and ever. So we need to come to a conclusion
32 on that.

33
34 MR. CLARK: Seven o'clock.

35
36 VICE-CHAIR GARZA: Seven o'clock?

37
38 MS. WILSON: Six o'clock.

39
40 VICE-CHAIR GARZA: Six. Dinner at six and
41 we may have to come back or something. So we will break
42 for dinner at six if we're not done.

43
44 CHAIRMAN THOMAS: Then we'll have another
45 break at midnight.

46
47 MR. HOFFMAN: Madame Chair, again my name
48 is Steve Hoffman, Fish and Game. Under sport fish
49 regulations, the generic regulation in fresh water for the

50 use of bait throughout the region is from mid-September

00188

1 through mid-November. And we also have a number of
2 exceptions to that, some of the lakes have been
3 reclassified as high user trophy, where its artificial is
4 only year round. And then we also have some lakes around
5 the region where bait is allowed year round. So there is a
6 bait window as we call it generically throughout the region
7 but there are exceptions and stuff. And then fall
8 steelheads streams also, there's, you know, artificial is
9 only year round.

10
11 VICE-CHAIR GARZA: So if we say no bait,
12 then we're more restrictive than current State sport, which
13 is not our intent.

14
15 MS. WILSON: Madame Chair, I have a remark.

16
17 VICE-CHAIR GARZA: Go ahead, Marilyn.

18
19 MS. WILSON: This is Federal land/waters.
20 We should be thinking about the opportunity to allow for
21 subsistence gathering. And we're putting restrictions --
22 more restrictions and we're adding to it. I don't think we
23 should try to add or try to follow the State because we're
24 on Federal.

25
26 MR. STOKES: Madame Chair, I speak against
27 the idea of not having bait.

28
29 VICE-CHAIR GARZA: Well, there is no second
30 to the motion. It died.

31
32 MR. STOKES: I'll second it to -- in order
33 to come up against it.

34
35 (Laughter)

36
37 VICE-CHAIR GARZA: Don't second it and it's
38 dead. So for lack of a second to either of the last two
39 amendments we have in front of us, rod and reel, any bait
40 or lure for cutthroat trout, rainbow trout and Dolly Varden
41 char.

42
43 MR. STOKES: Okay, I'm not speaking against
44 that one.

45
46 VICE-CHAIR GARZA: Okay. Okay, Vicky?

47
48 MS. LECORNU: Mrs. Chairman.....
49

VICE-CHAIR GARZA: Can you please come up

00189

1 here?

2

3 MS. LECORNU:we'd like to request to
4 talk so -- we wanted to comment on this proposal
5 (indiscernible - away from microphone).

6

7 VICE-CHAIR GARZA: Okay. Yeah, we still --
8 yeah, we didn't do public comments because we had to
9 clarify what proposal we're actually doing on but we a
10 public comment request.

11

12 MR. BURGESS: Good afternoon, Madame Chair,
13 my name is Victor Burgess. I'm representing the Hydaburg
14 Advisory Committee. I hear the discussion here and some of
15 the history is entirely incorrect. Customary and
16 traditional use determinations were adopted from the State.
17 Now what I originally said here -- picking out Hydaburg as
18 an example -- I said residents of the Native townsite of
19 Hydaburg. Somehow it's got twisted around. And the reason
20 I did this, I might have been wishfully anticipating that
21 at some time in the future it would be declared Indian
22 country. And that's why I put in that.

23

24 There were three communities at the time that put
25 in that request. It was Hydaburg, Kake and Klawock. I
26 don't know how the rest of these came in but these were
27 done by the representatives from these communities. And
28 basically, as we seen it, customary and traditional meant
29 that these communities used everything of value.
30 Everything. If one person didn't use it, the communities
31 as a whole uses everything of value to their society. That
32 even includes and elk that might wander down by 12 Mile arm
33 here. It's a wild renewable resource. And that's what
34 Title VIII says, that you're entitled to all wild renewable
35 resources. That's water too.

36

37 So what I want to say, we're working on past
38 history, you know, that we're doomed to repeat, you know,
39 or somebody is. Is repeating old history which isn't
40 truthful history. And the point I wanted to make in
41 addition to that is that Title -- you report to the
42 secretary is part of this problem that you're talking
43 about. You have to identify your village estimated needs
44 to make whatever livelihood you can from your community in
45 numbers. And these numbers from each community will go
46 into a yearly report for the secretary. And if there is a
47 shortage in any community -- let's take sockeye in Klawock
48 -- then that's when 804 kicks in. This is a preference for
49 priority. And I don't have that three criteria but one of

50 the main ones is a resident of the area. That's why when

00190

1 this is finalized, these will be divided into geographic
2 areas, I think, and that's why you don't really have to --
3 that's why the proper way is to forget about -- the C&Ts
4 might be important somewhere down the line.

5
6 Let's take a place -- like Buckshot Woolery that
7 just live in Port Alexander. Now he is gone now but maybe
8 his family can prove C&T, customary and traditional use of
9 some of the resources. And they're white, I think. You
10 see what I'm getting at? At some point in time, you have
11 to separate this up for three different types of groups
12 because you also want to protect the other rural residents
13 out in the outlying places. And they should get at least
14 second preference. And I heard the discussion on methods
15 and means and going back to our deer proposal again last
16 year, I mentioned Section 802 where it mentions -- the
17 second paragraph it mentions that taking shall have
18 preference. Now that's -- what that means is when it comes
19 to methods and means, you have to be very careful. Because
20 Number 1, there is three criteria and it has to be
21 supported by substantial evidence and it cannot violate
22 recognized principles of fish and wildlife conservation and
23 it can't be detrimental to subsistence. That's the only
24 three you have to remember at this point in time. There's
25 only two when you you're discussing these proposals, does
26 these two criteria stop it in some fashion.

27
28 So that's basically what I wanted to say and say it
29 in as short of time as I can because the C&Ts were adopted
30 from the State. They're confusing. I think you have to
31 pick the communities that are clearly -- I hate to say the
32 word Native but they're the only ones I can think of that
33 really meet this criteria of customary and traditional.
34 And the reason I did all this wasn't for my benefit, I
35 wanted to protect -- you heard what the -- some talk
36 against me today. I wanted to protect this community and
37 the Natives and the future Natives that might move back to
38 this place to have -- be able to participate. And if all
39 the land is bought out by real estate agents that want to
40 make money on this rural definition, you can see what's
41 happening on that road to Klawock. See, that's why I
42 warned Klawock not to include their land holdings. Because
43 their land holdings are being bought up right and left. So
44 I've been a strong advocate of keep this land until this
45 decision is settled.

46
47 So that's all I wanted to say. I think that you
48 have to be positive. And to be positive, you have to say
49 is this Indian legislation. Is it for Indians? And if

50 not, let's do something to protect the right that they

00191

1 should have. And that's basically what Congressman Udall
2 said in his house report.

3

4 CHAIRMAN THOMAS: I agree. Thank you.
5 Thank you for bringing up those three criteria because
6 you're right, we can't abandon those. We have to keep in
7 mind those three criteria you listed in order for use to
8 make a proper -- give us a proper direction.

9

10 Thank you.

11

12 MR. BURGESS: All right, thank you Madame
13 Chair.

14

15 CHAIRMAN THOMAS: What?

16

17 (Laughter - gavel passed back to Mr. Thomas)

18

19 MR. BURGESS: Sorry about that.

20

21 VICE-CHAIR GARZA: Okay. So where are we?
22 The motion is to support -- since we're only advisors --
23 the language on Page 8. Method, rod and reel, any bait or
24 lure. That would be for cutthroat, rainbow or char.

25

26 MR. ADAMS: Okay, now my memory has come
27 back now. You know Madame Chair, I don't feel that I can,
28 you know, support this 22B in any form because I think that
29 it would be up to the communities to come up with a
30 proposal on how they would like to see, you know, their
31 C&Ts regulated or managed. And it would be my inclination
32 right now to take this back to our communities or to our
33 regions, you know. Like for instance, I'll take this back
34 to Yakutat and then we will come up with a proposal on how
35 they would like to see these resources managed.

36

37 VICE-CHAIR GARZA: Vicky?

38

39 MS. LECORNU: (Indiscernible - away from
40 microphone).

41

42 MR. ADAMS: That's my feeling, Madame
43 Chairman.

44

45 VICE-CHAIR GARZA: So you're speaking
46 against the.....

47

48 MR. ADAMS: Right.

49

50 VICE-CHAIR GARZA:motion?

00192

1 MR. ADAMS: I am.

2

3 CHAIRMAN THOMAS: Did you ask for his
4 feelings?

5

6 VICE-CHAIR GARZA: Yep. What is the wish
7 of the Council. Better get you guys off the coffee there.

8

9 CHAIRMAN THOMAS: I'm on the bridge of
10 tears.

11

12 MR. STOKES: Madame Chairman, I speak in
13 favor of the motion.

14

15 CHAIRMAN THOMAS: Madame Chairman, I
16 support Brother Stokes, just because he's Brother Stokes.

17

18 VICE-CHAIR GARZA: Mr. Littlefield?

19

20 MR. LITTLEFIELD: Madame Chairman, I've
21 been a strong proponent of allowing any legal method to
22 take fish however, for this particular species, I believe
23 it would be unwise to use seines -- beach seines, gillnets
24 and stuff to take trout. So therefore I support the motion
25 as it's written.

26

27 VICE-CHAIR GARZA: Further discussion.....

28

29 CHAIRMAN THOMAS: Question.

30

31 VICE-CHAIR GARZA: Call for -- question has
32 been called on the motion. Method, rod and reel, any bait
33 or lure for cutthroat, rainbow or char. All in favor,
34 signify by saying aye?

35

36 IN UNISON: Aye.

37

38 VICE-CHAIR GARZA: Opposed?

39

40 UNIDENTIFIED SPEAKER: Nay.

41

42 VICE-CHAIR GARZA: Motion passes. Next
43 section, season.

44

45 CHAIRMAN THOMAS: Ignore the nay.

46

47 CHAIRWOMAN GARZA: Note the one opposition.
48 Season? Any suggestions on amendments or.....

49

CHAIRMAN THOMAS: Motion to adopt.

00193

1 VICE-CHAIR GARZA: Motion to adopt

2 season.....

3

4 CHAIRMAN THOMAS: Language.

5

6 VICE-CHAIR GARZA: The language.

7

8 MR. STOKES: I second.

9

10 VICE-CHAIR GARZA: No closed.....

11

12 MR. STOKES: I second the motion.

13

14 VICE-CHAIR GARZA: Been seconded.

15 Question?

16

17 MS. WILSON: Question.

18

19 CHAIRMAN THOMAS: Question.

20

21 VICE-CHAIR GARZA: Question's been called.

22 All in favor, signify by saying aye?

23

24 IN UNISON: Aye.

25

26 VICE-CHAIR GARZA: All opposed?

27

28 (No opposing responses)

29

30 VICE-CHAIR GARZA: Next one, bag limit.

31 Six hooligans a day.

32

33 (Laughter)

34

35 CHAIRMAN THOMAS: They must be 11 to 22

36 inches long.

37

38 VICE-CHAIR GARZA: Ten.

39

40 MR. STOKES: Can I move we adopt the --

41 Madame Chairman?

42

43 VICE-CHAIR GARZA: Yeah.

44

45 MR. STOKES: I move we adopt it as written.

46

47 MR. LITTLEFIELD: Second.

48

49 VICE-CHAIR GARZA: It's been moved and

50 seconded, so it's under discussion. Under discussion we

00194

1 have to realize it is more restrictive than the current
2 regs for sport for char.....

3
4 UNIDENTIFIED SPEAKER: Dolly Varden. For
5 Dolly Varden.

6
7 VICE-CHAIR GARZA: For Dolly Varden. So we
8 would say, customary and traditional users can take less
9 Dolly Varden than sport users.

10
11 MS. PHILLIPS: Move to amend the motion to
12 change harvest limit for Dolly Vardens to 10. What is it,
13 10 daily, 10 in possession. No size restrictions.

14
15 CHAIRMAN THOMAS: Second.

16
17 VICE-CHAIR GARZA: Okay, so what did you
18 say? Ten day.....

19
20 MS. PHILLIPS: Ten daily.....

21
22 CHAIRMAN THOMAS: Ten per day. Ten in
23 possession. No size limit.

24
25 MS. PHILLIPS: For Dolly Varden, brook
26 trout and grayling.

27
28 VICE-CHAIR GARZA: Okay, so then it would
29 be six fish per day for cutthroat and rainbows. Ten fish
30 per day for Dolly Varden, no size limit.

31
32 UNIDENTIFIED SPEAKER: She only addressed
33 the 10.....

34
35 MR. STOKES: Madame Chairman?

36
37 VICE-CHAIR GARZA: But that's how it would
38 read.....

39
40 MS. PHILLIPS: Right.

41
42 VICE-CHAIR GARZA:because she
43 amended.

44
45 MS. PHILLIPS: Well, I meant to put -- to
46 read like she said.

47
48 VICE-CHAIR GARZA: Was there a second to
49 her amendment?

00195

1 CHAIRMAN THOMAS: I second it, yes there
2 was.

3
4 VICE-CHAIR GARZA: Okay, Bill.

5
6 MR. STOKES: Madame Chairman?

7
8 VICE-CHAIR GARZA: Yeah, I mean Dick.

9
10 MR. STOKES: There's no provision there for
11 how many in possession.

12
13 CHAIRMAN THOMAS: The amendment calls for
14 10 a day, 10 in possession.

15
16 MR. STOKES: Well, she said 10 per day,
17 didn't you?

18
19 MS. PHILLIPS: I did. Ten per day, ten in
20 possession. I was just.....

21
22 MR. STOKES: It should be double that.

23
24 CHAIRMAN THOMAS: (Indiscernible) move to
25 amend.

26
27 MR. LAITI: That's just Dollys.

28
29 MS. WILSON: Is that just Dollys?

30
31 CHAIRMAN THOMAS: Dollys.

32
33 MR. STOKES: Dollys. Dolly Varden only.

34
35 MS. WILSON: Only Dolly Varden.

36
37 MR. LITTLEFIELD: That's 10 retention.

38
39 CHAIRMAN THOMAS: Madame Chairman?

40
41 VICE-CHAIR GARZA: Yes.

42
43 CHAIRMAN THOMAS: I want it to be as clear
44 as could be because when I fish I take my tape measure and
45 I got a counter that I take to make sure that everything is
46 Kosher, so I want this in as clear language as possible.

47
48 Call for the question.

49

VICE-CHAIR GARZA: Question has been

00196

1 called.....

2

3 MS. WILSON: Madame.....

4

5 VICE-CHAIR GARZA:on the amendment.

6 Marilyn?

7

8 MS. WILSON: Oh, you asked for the question
9 already. I just wanted to say I would like to see it no
10 limit. No limit per day. No limit.

11

12 VICE-CHAIR GARZA: On Dolly Varden?

13

14 MS. WILSON: Yes.

15

16 CHAIRMAN THOMAS: Madame -- Madame -- point
17 of order.

18

19 MS. WILSON: It was just a remark.

20

21 CHAIRMAN THOMAS: Point of order. If you
22 want it the way it reads, then vote no on the motion. But
23 there is a motion on the floor. Question's been called.

24

25 VICE-CHAIR GARZA: Okay, the question is on
26 the amendment. And so the amendment is for Dolly Varden
27 char. Ten a day, then in possession, no size limit. Ten
28 in possession. All in favor, signify by saying aye.

29

30 IN UNISON: Aye.

31

32 VICE-CHAIR GARZA: Opposed?

33

34 (No opposing responses)

35

36 VICE-CHAIR GARZA: Okay, so the amendment
37 passes. So then the full motion as amended would be six
38 fish per day of each species except for Dolly Varden with
39 10 a day, 10 in possession with no size limit. That is the
40 motion as amended. Any discussion? Fred?

41

42 MR. CLARK: Just for clarification. The no
43 size limit applies to all species.

44

45 VICE-CHAIR GARZA: Yeah, that was the
46 original.

47

48 MR. CLARK: But you said -- that could be
49 read in a number of different ways the way you said it.

00197

1 VICE-CHAIR GARZA: Yeah.

2
3 CHAIRMAN THOMAS: Question.

4
5 VICE-CHAIR GARZA: Mike?

6
7 MR. DOUVILLE: I have a question. This
8 doesn't apply to smelt and.....

9
10 VICE-CHAIR GARZA: No.

11
12 MR. DOUVILLE:hooligan?

13
14 VICE-CHAIR GARZA: It's only for cutthroat
15 trout, rainbow trout and Dolly Varden char. The question
16 has been called, all in favor signify by saying aye.

17
18 IN UNISON: Aye.

19
20 VICE-CHAIR GARZA: Opposed?

21
22 (No opposing responses)

23
24 VICE-CHAIR GARZA: We've made it through
25 Proposal F2001-22.

26
27 (Applause)

28
29 CHAIRMAN THOMAS: Madame Chairman, I move
30 that we recess until tomorrow morning.

31
32 (Laughter)

33
34 MR. STOKES: Second.

35
36 CHAIRMAN THOMAS: I notice she don't
37 (indiscernible)

38
39 VICE-CHAIR GARZA: So we have Proposal 23
40 which starts on Page 31.

41
42 MR. CASIPIT: Madame Chairman, Regional
43 Advisory Council. Proposal 23 was proposed by Thomas A.
44 George of Klawock. He would like to establish a
45 subsistence season and harvest limit for steelhead/rainbow
46 trout Southeast-wide and specifically on Prince of Wales
47 Island. His proposed regulation would read,
48 steelhead/rainbow trout, one fish per week, 26 through 36
49 inches or greater than 40 inches. Currently all steelhead

50 harvest in Southeast Alaska occurs under State sport

00198

1 fishing limits or State sport fishing regulations.
2 Currently there is a 36 minimum size limit for steelhead.
3 One per day, two per season. There is an exception for
4 adipose clipped fins on steelhead. You can have two
5 steelhead a day if at least one fish has a clipped adipose
6 fin. That means it came from a hatchery.

7
8 We present some biological background starting on
9 Page 37. Southeast Alaska has 331 identified steelhead
10 populations, most of those are believed to contain 200 or
11 fewer spawning adults. Major fisheries occur on larger
12 systems such as: Naha, Karta and Thorne rivers and those
13 systems support up to 1,000 spawning fish. And the Situk
14 River supports annual returns of 3,000 to 9,000 steelhead.

15
16 (Off record conversations -- gavel noise)

17
18 MS. GARZA: Talking about how good lunch
19 was.

20
21 CHAIRMAN THOMAS: Go ahead, Cal.

22
23 MR. CASIPIT: Okay, thank you.

24
25 CHAIRMAN THOMAS: We apologize for our very
26 juvenile behavior at a Council table. That won't happen
27 again.

28
29 MR. CASIPIT: Many of the systems on Prince
30 of Wales have steelhead runs less than 100 fish. There was
31 some information presented by the Forest Service that
32 illegal harvest of up to 50 percent of a certain run was
33 documented in 1997.

34
35 CHAIRMAN THOMAS: Cal, if we could -- I
36 think you're giving us some good information and now if
37 you'd just let us know whether or not these systems can
38 handle the proposed regulation as it's written.

39
40 MR. CASIPIT: There are some systems which
41 we think that could handle that level of harvest but most
42 of them probably couldn't over the long term. And that's
43 why we have gone to a preliminary conclusion of modifying
44 the proposal as written to require a Federal subsistence
45 permit for year round steelhead seasons in Southeast. The
46 permit for the Southeast fisheries management area would
47 include an annual limit of two steelhead longer than 36
48 inches, the use of rod and reel only and the use of bait
49 would not be allowed again for trying limit the amount of

50 mortality from deeply hooked fish.

00199

1 CHAIRMAN THOMAS: Okay, I'm just reading
2 the justification here to see -- to see if I agree with it.

3
4 MR. CASIPIT: Well, our justification on
5 that was that steelhead runs in Southeast Alaska in general
6 are very small. The majority of the steelhead population
7 lies into this -- lies within this 26 to 30 inch size
8 range. And allowing one fish per week with no annual limit
9 even in this size range would likely subject many of these
10 runs to over-harvest.

11
12 CHAIRMAN THOMAS: Yeah, Mike?

13
14 MR. DOUVILLE: So if this proposal would
15 not -- say the resource would not support this proposal as
16 written, what would?

17
18 MR. CASIPIT: Our preliminary conclusion of
19 allowing an annual limit of two steelhead longer than 36
20 inches, the use of a rod and reel and no bait. If we were
21 to adopt that recommendation, we feel that we could allow
22 that level of harvest.

23
24 MR. DOUVILLE: I just -- I'd like to
25 comment?

26
27 CHAIRMAN THOMAS: Sure.

28
29 MR. DOUVILLE: Some of these streams that
30 we fish in don't have fish that are greater than three
31 feet, period. They don't get that big but they're in
32 there. So that's why he put in that -- I believe that's
33 why he put in the smaller size because some of them don't
34 get that big and it's rare to catch one over three feet.

35
36 CHAIRMAN THOMAS: Okay, that's all we need.
37 Fred?

38
39 MR. CLARK: Just a -- just something to
40 keep in mind. That this proposal was a region-wide
41 proposal and it may be that there's some streams like that
42 but if you want to approach it region-wide, you have to be
43 very conservative in the approach. There's still the
44 option to produce additional proposals if the Council
45 adopts this or the draft recommendation or whatever,
46 there's chance in the future for additional proposals to
47 open up particular streams and for particular sizes, you
48 know, on a more specific basis.

49

CHAIRMAN THOMAS: Okay, I want to make

00200

1 reference to VIII, Section 1 -- to provide the continued
2 opportunity and that is the mission of this Council. To
3 provide continued opportunity. We come into responsibility
4 in 803 and if things get real bad, then we exercise 804.
5 So I see no jeopardy by the language proposal. Dolly? Did
6 you have a question? Comment? Criticism?

7
8 MS. GARZA: So then the two fish at 36
9 inches will mimic the sport regulation?

10
11 MR. CASIPIT: Correct.

12
13 MR. MARTIN: Mr. Chairman?

14
15 CHAIRMAN THOMAS: Harold.

16
17 MR. MARTIN: I do have problems with the
18 size limit of 36 inches. Several years ago there was a
19 protection officer that would come sneaking into Kake and
20 went undercover in the woods and stalked the people that
21 were steelhead fishing and cited them all for having
22 undersized steelheads. Now in areas around Kake, any
23 stream that produced steelhead, you won't find a 36 inch
24 steelhead in that tributary. You might find them up around
25 Yakutat but not around here.

26
27 CHAIRMAN THOMAS: I had a point of
28 clarification regarding our process, I appreciate that. It
29 hasn't been moved to the Council for deliberation yet. We
30 still have a process of other comments from other people in
31 management, the public and that whole thing. And we
32 apologize for our patchwork diversion on this. That's what
33 happens when you get in Haida country, every thing goes to
34 heck in a hurry.

35
36 Okay, we had an introduction of the proposal. The
37 next step allows for the department comments at this point.
38 You can take your gloves off if you want.

39
40 MR. HOFFMAN: Mr. Chairman, Steve Hoffman
41 of Fish and Game again. The State generally agrees with
42 preliminary Federal staff analysis and recommendation in
43 relation to salmon conservation for the steelhead resource
44 of Southeast Alaska. It was pointed out earlier that the
45 majority of our systems contain small populations of fish
46 and so we're concerned about the impact of harvest of
47 smaller fish. The proposal as written would subject many
48 of our streams to harvest levels that won't sustain those
49 populations. Also we wanted to make sure to clarify the 36

50 inch size that's adopted in the sport fish regulations in

00201

1 the minimum of 36 inches. So just for a point of
2 clarification, I think that needs to be considered.

3
4 CHAIRMAN THOMAS: Thank you. Questions
5 anybody?

6
7 MR. LITTLEFIELD: I have a question. Is
8 the proposer here? Okay, now he asked specifically for
9 Prince of Wales Island and he also threw in Southeast-wide
10 and I'm wondering if specifically on Prince of Wales Island
11 that the regulation had read steelhead/rainbow trout, one
12 fish per week, 26-36 inches long or greater than 40 inches
13 -- what effect would that have if it was limited to Prince
14 of Wales Island?

15
16 MR. HOFFMAN: We'd still end up with a
17 seemingly high harvest of steelhead for the island systems
18 and stuff for, you know, for the size limits indicated, the
19 slot limit that he's pointed out in his proposal that
20 subject those -- the stocks of Prince of Wales to a very
21 high harvest.

22
23 CHAIRMAN THOMAS: For information of the
24 Council, again I state that we need to keep in mind that we
25 don't want necessarily -- and I don't mean this in a
26 combative attitude -- but there's difference in the value
27 of the resource. Sport fish is a resource that has no
28 significance of importance to anybody. To go after it for
29 food when you need it is a different story. Our role as a
30 council is to support 1 -- Section 1 of Title VIII and that
31 says to provide the opportunity. And there are built in
32 provisions to be responsible in the process. And I hope we
33 can do that. I'm not taking issue with your comment at
34 all. There's just a -- there's a philosophical difference
35 between the agencies, is all there is. Any questions for
36 Steve?

37
38 MR. STOKES: I have one. Has your
39 department checked with the Canadian government, British
40 Columbia, on their harvest of steelhead. The reason why
41 I'm asking is that I have a friend that's a Tahltan up on
42 the Telegraph Creek and he has a commercial license. And
43 this entitles him to set his net within 100 yards of the
44 Tahltan River and last year when I was up there in one week
45 he caught 81 steelhead that were Native stock and not one
46 of them were 36 inches long. Many were just about just
47 about like this, not much larger than a sockeye. And I'm
48 just wondering if your department would check with them.
49

CHAIRMAN THOMAS: You didn't give him a

00202

1 chance to respond to your question.

2

3 MR. STOKES: Oh, I'm sorry.

4

5 MR. HOFFMAN: Yes, Mr. Chairman, I deal
6 with the Canadians quite frequently in relation of
7 steelhead stocks and a number of their systems throughout
8 their area have fish 36 inches or larger. It's just
9 similar to our areas, we have some streams that don't have
10 a large percentage of large fish. But the populations are
11 very small and so we've adopted a very conservative
12 management scheme to try to those stocks but still allow
13 some harvester people. So to answer your question, yes,
14 I'm aware there are some systems that have smaller fish and
15 on the Canadians side, too, a large percentage of them have
16 -- like the Babine and to the tributary of Askina (ph) is
17 noted for its large fish, as an example.

18

19 MR. STOKES: Well, do they have any teeth
20 in that? It's my understanding that Tahltan ban is the one
21 that regulates the fishing on that area. And well, Harold
22 was up there with me last year when Ray had caught 81 fish
23 that one week. And right now is when he's fishing once
24 again, right during the month of October and this is the
25 fall run. And I haven't talked with him since last month
26 but I'm sure he's.....

27

28 CHAIRMAN THOMAS: What are you suggesting,
29 Dick?

30

31 MR. STOKES: Huh?

32

33 CHAIRMAN THOMAS: Do you think we should
34 (indiscernible - coughing) with steelhead? I'm not sure
35 what you're trying to say.

36

37 MR. STOKES: Well, what I'm trying to say
38 is that Stikine River does have a good run of steelhead,
39 but we're not getting those that are going beyond the
40 border. And if we -- there's no restriction on the other
41 side. I guess I don't really know what I'm trying to get
42 across to you.

43

44 CHAIRMAN THOMAS: Trust me, Dick. Trust
45 me. Butch?

46

47 MR. LAITI: Just a comment. I fish the
48 Taku River and it's rivers like the Taku, their populations
49 of steelhead are big. Hundreds maybe thousands of fish.

50 But I think the rivers we're talking about around here, I

00203

1 think they're little small guys. Small populations so we
2 got to watch.....

3

4 CHAIRMAN THOMAS: Are you saying you have
5 superior systems in your area?

6

7 MR. LAITI: I got a bigger river. But
8 they're talking here -- some streams with 200 or less fish
9 so we got to be careful.

10

11 CHAIRMAN THOMAS: Further comments?

12 Questions?

13

14 MS. RUDOLPH: I have a question. Is this a
15 -- are we talking about hatchery fish or wild stock?

16

17 CHAIRMAN THOMAS: We're talking about
18 steelhead.

19

20 MS. RUDOLPH: And that's.....

21

22 MS. GARZA: Wild stock.

23

24 MS. RUDOLPH: Wild stock.

25

26 CHAIRMAN THOMAS: I can't tell the
27 difference.

28

29 MS. RUDOLPH: I could.

30

31 CHAIRMAN THOMAS: Could you?

32

33 MS. RUDOLPH: Yeah.

34

35 CHAIRMAN THOMAS: How?

36

37 MS. RUDOLPH: Mush. By the texture of the
38 fish.

39

40 VICE-CHAIR GARZA: So Steve, are any of the
41 stocks here stocked?

42

43 MR. HOFFMAN: On Prince of Wales Island,
44 the only system that currently enhanced is the Klawock.
45 There is a small program there were in the sport
46 regulations, there is an exception as Cal indicated where
47 you can have, you know, adipose clipped fish, you can have
48 one -- one in of those a day and one wild or up to two
49 adipose fish with no size restriction on the hatchery fish.

00204

1 VICE-CHAIR GARZA: So then for the most
2 part it's wild.

3
4 MR. HOFFMAN: Yes, 99 percent wild.

5
6 CHAIRMAN THOMAS: Good, keep it that way.
7 Mike and then Bert.

8
9 MR. DOUVILLE: I know where Mr. George is
10 going on this one. He maintains in the past he's always
11 been able to go up into Klawock or wherever and catch a
12 fish to eat. The restriction we have now doesn't allow
13 bait which makes it a little more difficult. But you have
14 to sit there and maybe fish all day and if you're lucky,
15 maybe you will catch a three footer you take home but most
16 of time you're not. So what he wants is a fresh fish to
17 eat and this is the only fish that is running that time of
18 the year. And that's what he has in mind. Nothing to do
19 with being a sportsman, he just wants one to eat.

20
21 CHAIRMAN THOMAS: Bert?

22
23 MR. ADAMS: Thank you, Mr. Chairman. I
24 just want to bring up the issue of -- it seems to me like
25 this proposal as first -- was specifically to be for Prince
26 of Wales Island and somehow or another Southeast Alaska
27 was, you know, got included in it. And I'm just wondering
28 how the people from -- you know, in conflict in other parts
29 of Southeast Alaska feel. And then I have a question,
30 would this include (indiscernible) as well?

31
32 CHAIRMAN THOMAS: Well let me say something
33 here. Is everybody here familiar with Title VIII? I
34 thought you were. I hope you are. If you are, please try
35 to be on the same thought process that I'm on. We're
36 talking Section I. We're a subsistence Advisory Council.
37 We're not sport, we're not commercial, we're not anything
38 else. This is a subsistence -- and the only reason we're
39 here is because of Title VIII of ANILCA. So let's not put
40 gooseberries in with the huckleberries. And so, you know,
41 don't be timid about the responsibilities. That's just a
42 reminder because I get the sense that there's some
43 timidity here and this is not the place for it.

44
45 Steve, anymore?

46
47 MR. HOFFMAN: I'm done.

48
49 CHAIRMAN THOMAS: Did you have comments to

50 offer? These are for moral support.

00205

1 MR. BROOKOVER: Mr. Chairman, I guess I do
2 have one comment and that gets at our current regulatory
3 strategy and stock status of the stocks. If the Board is
4 wishing to hear that I can provide it for you -- a full
5 review of the stock status. Tom Brookover, sorry, with the
6 Department of Fish and Game, sport fishing.

7
8 CHAIRMAN THOMAS: What's the wish of the
9 Council? Thumbs up? Thumbs up.

10
11 MR. BROOKOVER: Thank you, Mr. Chair.
12 Prior to 1994, there were concerns raised around the region
13 over the status of Southeast Alaska steelhead stocks. We
14 got reports from the public and we had a few stream surveys
15 at the time that indicated that the abundance of steelhead
16 in region-wide generally was declining. In 1994 there was
17 a region-wide -- and actually at the same time, the same
18 concerns were voiced for cutthroat trout region-wide. In
19 1994 there was a region-wide effort made to go community to
20 community by the Department and hold public meetings and
21 talk about what to do about the declining status of the
22 cutthroat and steelhead. And essentially the outcome at a
23 Board of Fisheries meeting -- I believe also in 1994 when
24 the current sport regulations were adopted. Prior to the
25 time they were adopted, there was not minimum size limit
26 for steelhead and the bag limits were more liberal. What
27 we got out of the public meetings that we held was
28 essentially a group desire to limit the harvest of
29 steelhead based on the perceived decline in abundance to
30 about five percent of the stock region-wide. And to do
31 that, the group adopted the current set of reg.....

32
33 CHAIRMAN THOMAS: Could you identify the
34 user group?

35
36 MR. BROOKOVER: The user groups involved in
37 the meetings? Essentially sport users at the time but
38 under the umbrella of the Advisory Committee. The Alaska
39 Board of Fisheries Advisory Committee. Based on the
40 limited data we had at the time, 36 inches protected about
41 five percent of the stocks in general region-wide. Now for
42 some stocks, that may have been a higher percent, for some
43 a lower percent. But our best estimate at the time was
44 that a 36 inch limit region-wide would protect about five
45 percent of the populations until they were exposed to
46 harvest.

47
48 After 1994 when those -- when the Board established
49 those regulations, we did a steep drop in the sport harvest

50 of steelhead. Since then, we've also implemented stream

00206

1 surveys throughout the region and we've essentially seen
2 either constant levels of abundance or increasing levels of
3 abundance. And more recently, an increase in abundance
4 throughout the region in our stream surveys. So I guess
5 that's our best assessment of stock status -- is early on
6 we had quite a few reports of a depletion in steelhead and
7 cutthroat followed by the restrictive action at the Board
8 of Fisheries meeting, followed by either a plateau or an
9 increase in abundance region-wide.

10
11 CHAIRMAN THOMAS: Thank you. Again, there
12 are different methodology for different groups. We're
13 talking continued access for food. We're not talking a
14 weekend fly-in from Cordell Gables (ph) to Klawock River to
15 try to catch a 36 or bigger steelhead. Whatever you can
16 get to put in the pan is what you're after. There isn't
17 anything in existing regulations now that addresses the
18 consumptive use of subsistence user groups. We need to
19 change that. And the way -- the time to change that is
20 now. So I want the Council to keep that in mind. Your job
21 is to provide, not to restrict. We'll get to you -- we'll
22 get to public hearing.....

23
24 UNIDENTIFIED SPEAKER: No, I'm just making
25 it easy. Whenever my turn comes, I'm ready.

26
27 CHAIRMAN THOMAS: Well, I'll let you know.
28 Any further questions or comments for the Department?
29 Thank you.

30
31 MR. BROOKOVER: Thank you.

32
33 VICE-CHAIR GARZA: Just one quick -- is
34 there catch and release?

35
36 MR. HOFFMAN: Pardon?

37
38 VICE-CHAIR GARZA: Is there catch and
39 release for steelheads?

40
41 MR. HOFFMAN: Well, a lot of people
42 practice catch and release but there's no mandatory catch
43 and release under our current regulations.

44
45 CHAIRMAN THOMAS: That's the sport of it.

46
47 MR. HOFFMAN: You know, if somebody catches
48 a fish under 36 inches they're, you know, required to
49 release it. Because there are a large number of anglers

50 that, you know, do catch and release for all size of fish.

00207

1 CHAIRMAN THOMAS: I really hope you folks
2 understand my emphasis on supporting the grabbing
3 philosophy behind what we're doing as compared to what
4 you're doing. It's not an intentional division that we're
5 trying to establish and we appreciate your patience and we
6 do appreciate you being here. Thank you very much.

7
8 Where he go? Who is he? Howie?

9
10 MR. SANDERSON: I just heard you talking
11 about steelhead before and I thought I'd make a few
12 comments.

13
14 CHAIRMAN THOMAS: Well, just a few. Come
15 on. Three comments.

16
17 MR. SANDERSON: You know, to the Board here
18 again, I listened with a great deal of interest to proposal
19 plans.....

20
21 VICE-CHAIR GARZA: State your name.

22
23 MR. SANDERSON:utilized State.....

24
25 CHAIRMAN THOMAS: They want to know your
26 name.

27
28 MR. SANDERSON: Robert Sanderson.
29 Historically every system is different. You've got that
30 big drainage in Klawock River where you can get it with a
31 rod and reel. In Staney Creek and some of the other big
32 drainages off island, those are real vulnerable to sport
33 fisherman because they can utilize reel. But you take
34 Hydaburg Creek for example, we have a nice little run of
35 steelheads in April and May. It's impossible to use rod
36 and reel in this place here. And most of the people just
37 get it with spear. Go up and get one to eat and that's
38 about the extent of it. My guess here, as close as I can
39 come to it, that maybe the children will get about a
40 hundred a year. And a certain amount out of
41 (indiscernible) Creek. The rest of them, (indiscernible)
42 larger runs are utilized as such because they're so remote.

43
44 But what you mentioned here, you know, that you
45 should be able to take them as to whatever method you can
46 to go and get some to eat -- I have to agree with them.
47 You gave me a rod and reel and told me to go and get
48 steelhead in Hydaburg Creek, I'd never get them. And
49 that's why I've used it -- I've gone out with a spear in

50 the past and gotten to eat before (indiscernible). And

00208

1 this is kind of (indiscernible - mumbling). But they
2 should -- those populations, even small little systems not
3 more wider than this table have steelhead but they're
4 later, mostly in May. The larger the volume, the earlier
5 the run. In Klawock, all winter. Carter River in
6 February, January. April and May here. In the smaller
7 systems on Gull Island, in May and even in June. It varies
8 from place to place. And some will never have impact, you
9 know.

10
11 From my observations I think that the largest
12 steelhead run of this area would be Hunter's Bay though.
13 And I'm doubtful that no one ever goes there. And I don't
14 know how they're going to do it unless you spear them. I
15 certainly couldn't get them with rod and reel. That's just
16 my comment on it. We've used them for subsistence for
17 years, every community had used them. It's an off season
18 sort of a fish here. And we've never put an impact on them
19 and I'm trying to get that across. Not us, because there's
20 hundreds of spring fingerling you can catch in the spring.
21 There were other things I wanted to say and.....

22
23 CHAIRMAN THOMAS: Got to do with steelheads
24 right now.

25
26 MR. SANDERSON: Right now, yes. When it
27 gets into Hetta, I got some more things to say, you know,
28 and some of the management problems here -- manage that
29 fishery here. So I'll just reserve that for tomorrow.

30
31 CHAIRMAN THOMAS: Okay.

32
33 MR. SANDERSON: That's all I had.

34
35 CHAIRMAN THOMAS: Thank you. Any
36 questions? We dare to ask him any questions has he got an
37 answer for us. Vicky?

38
39 MS. LECORNU: Thank you, Bill. I'd like to
40 comment on this proposal. My name is Vicky Lecornu. Thank
41 you. He ruined my trick question, I was all going to ask
42 you how we caught steelhead in Hydaburg just to check if
43 you knew any local knowledge. But he already told you. We
44 don't use rod and reel. So I'm glad Bill mentioned method
45 and mean is a restriction and Marilyn understood that.
46 Methods and means, when I first got on this Council I spoke
47 against it. Methods and means can't be utilized unless you
48 have a reason. And those reasons are stated in ANILCA and
49 they have to do with restricting -- they can't be

50 restrictive on you unless they're based on those three

00209

1 criteria that were mentioned earlier about substantial
2 evidence.....

3
4 UNIDENTIFIED SPEAKER: Conservation.

5
6 MS. LECORNU: Conservation and.....

7
8 UNIDENTIFIED SPEAKER: Detrimental use.

9
10 MS. LECORNU:detrimental use --
11 thanks. And so the other question I had was if you know
12 what the catch and release mortality is -- the figures on
13 the catch and release. And so the comments by the State
14 also with the -- ADF&G said the customary and traditional
15 use determination is needed. Well, we believe that we have
16 a positive -- a positive approach would be assuming all
17 Native communities have customary and traditional use of
18 all species because we're opportunistic hunters. When
19 we're hungry, we go get it. Or if we need to make a trade
20 -- we need to have some extra things around to trade.
21 That's our tradition. And so the bag and methods and means
22 is not to be required on anybody unless there is a problem.
23 And so the comments from the State are there's not enough
24 fish. There's small populations. Well, who should be cut
25 off first? And so when you restrict us, there needs to be
26 a little bit more give and take to accept what the people
27 did take. It's probably not limited by the number of sport
28 fishermen have pulled in.

29
30 So thank you.

31
32 CHAIRMAN THOMAS: Thank you. Now that's
33 true, you know. We get -- we're having a tendency to get
34 caught up in a cyclone of bureaucratic nonsense. And we
35 shouldn't allow ourselves to do that. People pride
36 themselves on being bureaucratic -- that's fine. But don't
37 make my appetite worse than it is as a result. I talked to
38 a friendly agency in Ketchikan years ago. I had a problem
39 -- well, I got a private fishing hole on the mainland, Yes
40 Bay. And I got -- do I still have fair title to that,
41 Phil? Yeah. So I had a problem up there and I brought it
42 to some people that knew what they were talking about and
43 they said, well why don't you submit a proposal. And so I
44 didn't know anything about a proposal so I stood right
45 there at their desk and they asked me a question, they
46 said, if you got a limit of so many fish, what difference
47 does it make how you catch them as long as you don't exceed
48 that. That made sense to me and I've always appreciated
49 that guidance. So I think we should apply that in many of

50 our instances here. If a family needs 12 steelhead for

00210

1 dinner, they should have 12 steelhead. If you're like me
2 and can't stand the taste of steelhead, then you can have
3 my share too. See, that's how it works. We don't have a
4 sporting attitude in this community. That's the point
5 we're trying to make. We're talking necessity; we're not
6 talking luxury. So I was making reference to gear types --
7 what difference does it make if you got a limit. Like I
8 said, I got a counter.

9
10 Other agency comments? Anybody here from other
11 agencies?

12
13 (No audible responses)

14
15 CHAIRMAN THOMAS: Scared you off, huh?
16 Summary of written public comments by Fred Clark. Summary.

17
18 MR. CLARK: Summary. The Edna Bay Fish and
19 Game Advisory Committee voted in favor of this proposal.
20 United Fisheries of Alaska said that consentive data was
21 needed to support the proposal. And the North -- oh,
22 excuse me the Eastern Prince of Wales Fish and Game
23 Advisory Committee is opposition to the proposal.

24
25 CHAIRMAN THOMAS: That's it.

26
27 MR. CLARK: That's it.

28
29 CHAIRMAN THOMAS: Public comments regarding
30 this proposal? You didn't jump the gun, did you? Carla is
31 the only one following our schedule. You have 45 minutes.

32
33 MS. YATES: I've just been looking over the
34 information -- I'm Carla Yates from Craig Community
35 Association. I have trouble catching steelhead myself,
36 they're pretty hard to catch so I'm not worried about me
37 taking more than my share. But in looking at the
38 information, the thing that concerns me is protecting the
39 sports fishermen so heavily. I was reading that, you know,
40 there's declined populations and that people on Prince of
41 Wales are respectful of that and are taking less. People
42 from out of town are not considering this. They're not
43 taking into consideration that our stocks are declining and
44 I don't think they feel like we do, that we need to protect
45 the population so I do have some problems with -- I speak
46 in favor and I hope you support this because I think that
47 we know when our populations are getting low. I don't go
48 fish sockeye in Klawock anymore because of that but I think
49 that we need to protect our subsistence use. I think that

50 steelhead is a subsistence fish; I think we should have

00211

1 that right and I support the motion and I hope they
2 (indiscernible).

3

4 CHAIRMAN THOMAS: Thank you, Carla. Any
5 further public comments? You're not public.

6

7 MS. EDENSHAW: I'm public. I just wanted
8 to let you know that there's a bowl of steelhead back here
9 you could help yourself to as opposed to sockeye.

10

11 CHAIRMAN THOMAS: Boy, you're going to get
12 it for that one. Now you are a member of the public.
13 Okay, hearing no more public -- yes, your honor. Your
14 Honorable Mayor from the cosmopolitan city of Yakutat.

15

16 MAYOR MAHONEY: Good afternoon Chairman and
17 members of the Council. My name is Tom Mahoney and I would
18 like to speak on just the way Yakutat feels on the
19 steelhead and stuff. We have a fairly recent and a fairly
20 good run on steelhead in the area. As you would -- as we
21 get into this book, we'll find out when Proposal 21 comes
22 out, that the local subsistence fishermen get 300 steelhead
23 per year and that can be increased. And a lot of the
24 people in the Yakutat area will fish them. Or if they do
25 get one, they would pass them on to people that really want
26 them. A lot of people don't like them. I've heard of one
27 case where a guy went out in the bay when he was doing the
28 salmon, you know, king salmon and got 29 and he gave them
29 away to the Elders and the people that really wanted them.
30 But as a rule, the subsistence gillnetters, when they're
31 gillnetting, if they get one they either release them or
32 they give them to the people that really want them. You
33 folks have got a real tough, you know, job here I feel, you
34 know.....

35

36 CHAIRMAN THOMAS: No, no, not tough.

37

38 MAYOR MAHONEY:listening to all the
39 testimony and stuff but in the Yakutat area, we'd like to
40 have it, you know, want everything to stay the way it is or
41 increased or whatever. And that's the way we feel in
42 Yakutat is we got our separate little area and I feel that
43 Prince of Wales got theirs too, you know, and so whatever
44 takes place there, whatever the people and the local
45 people, the Natives want, I think that's what they should
46 get.

47

48 CHAIRMAN THOMAS: Okay. Questions?
49 Comments? Bert?

00212

1 MR. ADAMS: I'd just like for Mr. Mahoney
2 to kind of clarify himself. Are you asking that maybe
3 Yakutat not be included in this proposal or.....

4
5 MAYOR MAHONEY: I'd like to see Yakutat not
6 included in this proposal. I'm speaking for the town
7 really, I'm not -- I'm not the chairman of the advisory
8 committee and in the past I've been advised to keep Yakutat
9 in its own area. And we have our own rules and regulations
10 and our own proposals, you know, on this. So as the Mayor,
11 I would hope that I could not support this.

12
13 CHAIRMAN THOMAS: Okay, Fred?

14
15 MR. CLARK: I'll defer to Cal.

16
17 CHAIRMAN THOMAS: Cal?

18
19 MR. CASIPIT: The Yakutat area is not
20 included in this proposal.

21
22 CHAIRMAN THOMAS: Okay.

23
24 MAYOR MAHONEY: Okay, thank you.

25
26 CHAIRMAN THOMAS: Thank you.

27
28 MR. ADAMS: Mr. Chairman?

29
30 CHAIRMAN THOMAS: Yes.

31
32 MR. ADAMS: On the map here, Proposal 23
33 has got all of this Southeast Alaska and Yakutat
34 (indiscernible).

35
36 CHAIRMAN THOMAS: You want to
37 (indiscernible)?

38
39 MR. ADAMS: No, not really. No.

40
41 CHAIRMAN THOMAS: This is a clarification
42 I'm going to have by our December meeting. I never heard
43 and I was not aware that there was a special consideration
44 of a part of this region. I don't know who else was -- was
45 everybody else aware?

46
47 VICE-CHAIR GARZA: Yeah.

48
49 CHAIRMAN THOMAS: Dolly was aware. Were

50 you guys?

00213

1 UNIDENTIFIED SPEAKER: I wasn't.

2
3 CHAIRMAN THOMAS: And it makes it difficult
4 to function as a Regional Advisory Council if we don't
5 represent the region as a region. And if there's going to
6 be special circumstances and conditions for a part of it,
7 then the Board needs to make a difference -- they need to
8 make a change in their designation or the identification of
9 this region. Okay.

10
11 MR. CLARK: Mr. Chairman?

12
13 CHAIRMAN THOMAS: Fred.

14
15 MR. CLARK: May I respond? The regulations
16 -- the Federal regulations have always had the two
17 management areas. The Federal regulations has had Yakutat
18 management area and the Southeast management.....

19
20 CHAIRMAN THOMAS: Well, I want to find out
21 why.

22
23 MR. CLARK: That's easy, they took it over
24 from the State. So I understand what you're saying about,
25 you know, bringing up the idea for a change but we'll
26 always get proposals from people from different areas that
27 the proposals, they will want those to apply to different
28 areas within the region. So.....

29
30 CHAIRMAN THOMAS: We can deal with that but
31 they're still part of our region.

32
33 MR. CLARK: And that's the case in this
34 proposal. It was for only the Southeast part, excluding
35 Yakutat area.

36
37 CHAIRMAN THOMAS: Okay, enough of that.
38 What are we going to do with this proposed regulation?
39 What's the wishes of Council? The Chair entertains a
40 motion.

41
42 MS. WILSON: Mr. Chairman, I move we adopt.

43
44 MR. ADAMS: Mr. Chairman, move to second.

45
46 CHAIRMAN THOMAS: It's been moved and
47 seconded. Any discussion that we adopt.....

48
49 VICE-CHAIR GARZA: Mr. Chairman.

00214

1 CHAIRMAN THOMAS:steelhead, rainbow
2 trout, one fish per week, 46 or 36 inches or greater. More
3 discussion? Dolly?

4
5 VICE-CHAIR GARZA: I would like to amend
6 the motion to Prince of Wales only because I think that's
7 what we're discussing.

8
9 MR. LITTLEFIELD: Second.

10
11 CHAIRMAN THOMAS: There's been a motion to
12 amend and there was a second. Discussion on the motion to
13 amend?

14
15 (No audible responses)

16
17 MR. ADAMS: I'll call the question,
18 Mr. Chairman.

19
20 CHAIRMAN THOMAS: Question was called. For
21 all those in favor of the amendment say aye.

22
23 IN UNISON: Aye.

24
25 CHAIRMAN THOMAS: Those opposed say no.

26
27 (No opposing responses)

28
29 CHAIRMAN THOMAS: Okay, now the motion --
30 this regulation then would be restricted to Game Management
31 Unit 2.

32
33 VICE-CHAIR GARZA: Mr. Chairman, it's
34 three.

35
36 CHAIRMAN THOMAS: Huh?

37
38 CHAIRMAN GARZA: Prince of Wales is three.

39
40 CHAIRMAN THOMAS: Okay.

41
42 VICE-CHAIR GARZA: Sir, I have more
43 amendments.

44
45 CHAIRMAN THOMAS: More amendments, okay.

46
47 VICE-CHAIR GARZA: We need to strike
48 rainbow trout since we already covered rainbow trout.
49 Cutthroat.

00215

1 MS. PHILLIPS: Yes, we did.

2
3 VICE-CHAIR GARZA: So this would actually
4 reduce what we just did.

5
6 MR. LITTLEFIELD: Second.

7
8 VICE-CHAIR GARZA: So move that rainbow
9 trout be stricken from this.

10
11 CHAIRMAN THOMAS: It's been moved to remove
12 rainbow trout and there was a second. Discussion?

13
14 MS. WILSON: Question.

15
16 CHAIRMAN THOMAS: Question's been called.
17 All those in favor say aye.

18
19 IN UNISON: Aye.

20
21 CHAIRMAN THOMAS: Opposed?

22
23 (No opposing responses)

24
25 CHAIRMAN THOMAS: Okay, we are now just
26 referring to steelhead on Prince of Wales Island. The
27 wishes of Council?

28
29 MS. PHILLIPS: What about the remainder of
30 Southeast? I mean there's no -- the other proposal we just
31 passed didn't include steelhead.

32
33 CHAIRMAN THOMAS: No it didn't. This one
34 does and this confined to Prince of Wales and it mentions
35 steelhead only.

36
37 MS. PHILLIPS: That's why I'm asking, what
38 about the rest of Southeast?

39
40 CHAIRMAN THOMAS: The rest of Southeast is
41 not interested.

42
43 VICE-CHAIR GARZA: They would have to
44 submit their own proposals.

45
46 MR. CLARK: It should be a water by water
47 basis.

48
49 CHAIRMAN THOMAS: You want to offer an

50 amendment to include someplace else? You want to include

00216

1 Situk River?

2

3 MS. PHILLIPS: No. The way I read the
4 proposal is that it's for Southeast-wide and specifically
5 POW.

6

7 MR. CLARK: Mr. Chairman?

8

9 CHAIRMAN THOMAS: Fred.

10

11 MR. CLARK: Point of clarification that
12 discussions with the proponent did clarify that it was for
13 all of Southeast. That was the intent -- was for all of
14 Southeast but, you know, more than anything the importance
15 was Prince of Wales but the proposal was for all of
16 Southeast.

17

18 CHAIRMAN THOMAS: Well, it is very clearly
19 stated. We would have done some amendments, we haven't
20 adopted the motion.

21

22 MS. PHILLIPS: I felt like the question is
23 called so fast and I'm trying to develop a question in my
24 own mind on what.....

25

26 CHAIRMAN THOMAS: Well, you still have
27 time.

28

29 MS. PHILLIPS: Okay. So I would like to
30 see C&T for rural residents for the remainder of
31 Southeastern Alaska area.

32

33 MR. CLARK: Um, C&.....

34

35 MS. PHILLIPS: Or -- no, what are we
36 discussing now?

37

38 MR. CLARK: Season and bags.

39

40 MS. PHILLIPS: Season and bag limits.

41

42 MR. CLARK: Yeah.

43

44 MS. PHILLIPS: Okay. So there is no
45 subsistence season -- okay, I would like to see a season
46 and bag limit for the rest of Southeast Alaska area. A
47 season but not a bag limit?

48

49 CHAIRMAN THOMAS: But then you'll have to

50 make a motion to undo what we just did and if you voted on

00217

1 it -- if you voted yes, then you're on a prevailing side.

2

3 MS. WILSON: Mr. Chairman, what did we
4 vote, now I'm.....

5

6 CHAIRMAN THOMAS: We're voting on to allow
7 to catch steelhead on Prince of Wales Island of 26 to 36
8 inches or greater than 40 inches. Just like this reads.
9 Everybody turn to Page 31. Thirty-one. Thirty-one, same
10 thing. Okay are we all singing out of the same book?

11

12 MS. RUDOLPH: Mr. Chairman, are we striking
13 out the Southeast-wide then?

14

15 CHAIRMAN THOMAS: Yes.

16

17 MS. RUDOLPH: So we're.....

18

19 CHAIRMAN THOMAS: We struck Southeast and
20 we struck rainbow trout. We're fishing steelhead only on
21 Prince of Wales Island.

22

23 VICE-CHAIR GARZA: Mr. Chairman?

24

25 CHAIRMAN THOMAS: Anybody want to fight
26 about it? What? Dolly?

27

28 VICE-CHAIR GARZA: I was the maker of both
29 of those amendments and so I guess I felt it needed to be
30 done because Prince of Wales is different. It has a lot of
31 small watersheds and it needs to be treated differently and
32 it was not in any way to jeopardize steelhead fishing in
33 other areas. But it was also my intent to support the
34 motion of a smaller size because as Mike was stating, on
35 Prince of Wales we do have creek systems where you can take
36 a limited number of steelhead that are smaller than 36
37 inches but you still have a healthy population. I'm not
38 sure if that's true in other areas so I was trying not to
39 -- like for the Yakutat men, I don't want to make policy
40 recommendations for other areas where we don't have that
41 information right in front of us.

42

43 MS. PHILLIPS: Well it was clear -- excuse
44 me, Mr. Chair.

45

46 CHAIRMAN THOMAS: Patti.

47

48 MS. PHILLIPS: It was clearly stated to me
49 that Yakutat is not part of this proposal.

00218

1 CHAIRMAN THOMAS: Yeah, you and I have the
2 same side. Okay, if there's no further amendments, we're
3 going to deal with the main motion and it's three
4 amendments.

5
6 Patti?

7
8 MS. PHILLIPS: Mr. Chair, I guess I'm
9 asking for some help on how do I go about changing it to
10 include the rest of Southeast. I understand what the
11 Prince of Wales representatives are doing, they're trying
12 to protect their area. And I agree with what they're
13 trying to do. What I'm requesting is that I would like to
14 see the rest of Southeast Alaska have a C&T -- or having a
15 season. I guess, you know -- help me out here.

16
17 CHAIRMAN THOMAS: Well, we took a vote.
18 That motion was mentioned, discussed and voted on as an
19 amendment.

20
21 MS. PHILLIPS: Mr. Chair?

22
23 CHAIRMAN THOMAS: Yes.

24
25 MS. PHILLIPS: I agree that that happened
26 but it happened so fast -- as I mentioned earlier, that I
27 don't feel like I had a moment to interject what my concern
28 was.

29
30 MR. LITTLEFIELD: Motion to reconsider.

31
32 CHAIRMAN THOMAS: We'd move to reconsider.

33
34 MR. LITTLEFIELD: No, she can make that if
35 she wants to.

36
37 CHAIRMAN THOMAS: You want to move to
38 reconsider?

39
40 MS. PHILLIPS: What am I going to
41 reconsider -- move to reconsider?

42
43 CHAIRMAN THOMAS: Well, we eliminated all
44 of Southeast; you want to include Southeast.

45
46 MS. PHILLIPS: Yes.

47
48 CHAIRMAN THOMAS: Now let's see how many
49 friends you got on here.

00219

1 MS. PHILLIPS: Okay, move to reconsider.

2
3 MR. LAITI: Second.

4
5 CHAIRMAN THOMAS: Moved and seconded to
6 consider including leaving the entire Southeast as part of
7 this motion. Okay, any further discussion?

8
9 MS. WILSON: Mr. Chairman?

10
11 CHAIRMAN THOMAS: Marilyn?

12
13 MS. WILSON: I feel like I have to speak on
14 this. I'm like Patti, we went through it so fast I didn't
15 think long enough.

16
17 CHAIRMAN THOMAS: You want all -- you want
18 us to take all -- like we did this morning, four hours on
19 each proposal?

20
21 MS. WILSON: I want to say that we need the
22 opportunity for the rest of Southeast -- we need the
23 opportunity to fish this fish, you know, the same as POW.
24 That is what we're here for, to provide the opportunity.

25
26 CHAIRMAN THOMAS: That's right.

27
28 MS. WILSON: That doesn't mean every one of
29 us is going to go out fishing and that's usually what the
30 State is worried about. And I thought I'd bring out this
31 letter -- in the State regulations, I guess they cut out
32 subsistence on steelhead in 1962, was it? Yeah, that's a
33 long time ago and that must be when the fish -- the
34 steelhead started going down. But I think it's about time
35 that we provided the opportunity for subsistence -- to
36 obtain those fish. And so that's why I'm reconsidering --
37 that I'd like to reconsider this motion to include all of
38 Southeast.

39
40 CHAIRMAN THOMAS: Okay, Butch?

41
42 MR. LAITI: Mr. Chairman, I go along with
43 Dolly. In the book here it says -- oh, what's their --
44 streams with 200 or fewer spawning adults and we don't know
45 where they are at and I'm sure there's other communities
46 like Kake who have steelhead who would want to input
47 themselves and not us -- have us, you know, making
48 directions for them. And it's Prince of Wales that wants
49 it and I think we should just give it them right now.

00220

1 MR. LITTLEFIELD: I seconded the motion of
2 Dolly's and I'm going to vote against the motion to
3 reconsider and my reason is, I agree there should be a
4 subsistence and customary and traditional determination for
5 steelhead throughout Southeast however I'm also equally
6 aware that there are some streams that are in danger. I
7 have that personal knowledge and we as a council have to do
8 what was mentioned but we do have to conserve too. And I'm
9 concerned that we need to address this on a water by water
10 basis. The proposer of this was from Prince of Wales
11 Island and basically if you're looking on Page 33, he cited
12 the rivers and that's the reason I did. I'm not opposed to
13 Southeast-wide but I would prefer that it come before us in
14 smaller chunks and that was my reason.

15
16 MR. MARTIN: Mr. Chairman?

17
18 CHAIRMAN THOMAS: Harold.

19
20 MR. MARTIN: I agree with Dolly, too. I've
21 always had problems with one community speaking for the
22 rest of the Southeast Alaska. I think they should -- like
23 he said, water by water basis.

24
25 CHAIRMAN THOMAS: Well, that's why we're
26 here. We represent the entire region. The people that are
27 on this body represent those communities, now is your time
28 to shine. Do your stuff. Vote your conscience. Pack your
29 bags. Any further discussion on the motion?

30
31 MS. PHILLIPS: Mr. Chair.

32
33 CHAIRMAN THOMAS: Patti.

34
35 MS. PHILLIPS: I know I appreciate the
36 comments that I'm hearing because we're here to counsel one
37 another. And when I hear the reasons why, I understand
38 why. So, you know, thank you for reconsidering.

39
40 CHAIRMAN THOMAS: I'm going to support the
41 reconsideration only because of Section 1 in Title VIII.
42 It says to provide an opportunity. Title VIII is a very
43 responsible piece of legislation. It's got built in checks
44 and balances for when the strength of any population are in
45 peril. We don't speculate. We don't project. We provide
46 opportunity. So our vote is going to be a show of hands
47 and either way it's going to final. So when we vote on the
48 reconsideration, if it leaves it then -- if the motion for
49 reconsideration is approved, then my understanding is that

50 will just reinsert Southeast-wide, is that correct?

00221

1 UNIDENTIFIED SPEAKER: That's correct.

2

3 CHAIRMAN THOMAS: Okay, then we'll still
4 have a motion before us. And I won't to ask for a show of
5 hands until I'm ready to vote on the motion after its
6 amendments and reconsiderations and amendments and
7 reconsideration and so forth. So all those in favor of
8 reinserting Southeast-wide say aye.

9

10 IN UNISON: Aye.

11

12 CHAIRMAN THOMAS: Those opposed?

13

14 IN UNISON: Aye.

15

16 CHAIRMAN THOMAS: A show of hands for?

17

18 VICE-CHAIR GARZA: Oh, wait. Wait, wait,
19 wait, wait.

20

21 CHAIRMAN THOMAS: For, I meant for.

22

23 VICE-CHAIR GARZA: For reconsideration.

24

25 CHAIRMAN THOMAS: Okay, one, two, three,
26 four, five, six. Opposed? One, two, three, four, five and
27 a half. Okay, in a tie, it fails.

28

29 MS. WILSON: Does the Chairman vote,
30 Mr. Chairman?

31

32 CHAIRMAN THOMAS: I voted. I voted with
33 you.

34

35 MS. WILSON: And he's appointed.

36

37 MR. KOOKESH: Mr. Chairman, can Yakutat
38 vote? I thought he was different -- I thought he was
39 different, Mr. Chairman.

40

41 CHAIRMAN THOMAS: Yeah, that is kind of
42 ironic. He's different but the same thing. Okay, now the
43 motion is now to allow steel fishing on Prince of Wales
44 Island, one fish per week, 26 to 36 inches or greater than
45 40 inches.

46

47 Further discussion?

48

49 VICE-CHAIR GARZA: Mr. Chairman, I'm going

50 to speak in favor of the motion and I realize that there

00222

1 are conservation concerns on the creeks, but I think those
2 conservation concerns will have to be brought forward creek
3 by creek and worked out. And if we leave it as simply as
4 36 then I think there will be missed opportunities where
5 subsistence people could have gone to that creek and gotten
6 a fish and they won't be allowed to because we're sticking
7 to the sport limit and not providing for a subsistence
8 length limit. So, you know, it's -- where we had talked
9 about, we're going -- you know, we're just picking up the
10 State regs and saying we'll live with that and that's not
11 what we're supposed to be doing here. We're supposed to be
12 providing that subsistence opportunity. So I will speak in
13 favor of the motion.

14
15 CHAIRMAN THOMAS: The motion as to allow
16 steelhead, one per week.....

17
18 VICE-CHAIR GARZA: Yeah.

19
20 CHAIRMAN THOMAS:26 to 36 inches or
21 greater than 40 inches?

22
23 VICE-CHAIR GARZA: On Prince of Wales.

24
25 CHAIRMAN THOMAS: On Prince of Wales. Is
26 everybody crystal clear.

27
28 MR. LITTLEFIELD: Question.

29
30 CHAIRMAN THOMAS: Question's been called.

31
32 MS. WILSON: Well, I need to ask something,
33 please.

34
35 CHAIRMAN THOMAS: Okay.

36
37 MS. WILSON: You just read the main motion
38 to accept this whole proposal? Is that the way the
39 proposal is going to read?

40
41 CHAIRMAN THOMAS: The proposal is to allow
42 steelhead to be caught on Prince of Wales Island, one fish
43 per week, with a measurement of 26 to 30 inches or greater
44 than 40 inches.

45
46 UNIDENTIFIED SPEAKER: Thirty-six.

47
48 UNIDENTIFIED SPEAKER: Thirty-six. You
49 said 30.

00223

1 CHAIRMAN THOMAS: Twenty-six to thirty-six
2 or greater than forty.

3
4 MS. WILSON: What about Southeast, is that
5 included in that proposal?

6
7 CHAIRMAN THOMAS: No, no this is
8 specifically to Prince of Wales now.

9
10 MS. WILSON: Well, I'm confused.

11
12 CHAIRMAN THOMAS: Thanks to Yakutat's vote,
13 we locked that up. Okay, I don't think we're getting any
14 more clarification. If you guys want -- if you want to
15 table this, we'll table it. If you're ready to vote, let's
16 vote.

17
18 UNIDENTIFIED SPEAKER: Mr. Chairman, the
19 question's been called for.

20
21 CHAIRMAN THOMAS: The question's been
22 called for. All those in favor say aye.

23
24 IN UNISON: Aye.

25
26 CHAIRMAN THOMAS: Those opposed?

27
28 UNIDENTIFIED SPEAKER: Me and Marilyn.

29
30 CHAIRMAN THOMAS: Motion passed. The Chair
31 is getting cranky and tired and this kind of stuff and
32 we're going to take a 20 second break. Twenty second
33 timeout.

34
35 (Off record)

36
37 (On record)

38
39 CHAIRMAN THOMAS: Okay resolution 25.

40
41 MR. CASIPIT: This is Cal Casipit, regional
42 subsistence fish biologist for the Forest Service, Alaska
43 region. Proposal 25 was proposed by Lewis Hiatt of Craig.
44 He would like to reduce the coho harvest limit to two fish
45 per day for non-Federally qualified subsistence users in
46 streams accessible by the road system on Prince of Wales
47 Island. He's concerned that increasing numbers of non-
48 rural residents fishing on Prince of Wales Island could be
49 hurting coho populations and limiting the number of fish

50 available to local residents. We had contacted him and he

00224

1 had mentioned that he had noticed a lot of quote fish
2 processing operations on the Harris River by non-rural
3 residents. He was concerned that he wanted to limit non-
4 rural coho fishing on systems accessible by road -- stream
5 systems accessible by the road system on Prince of Wales
6 Island. There is a related proposal to this that we'll be
7 talking about next. That's Proposal 34 which asks for a
8 subsistence season and harvest limits for coho in Sections
9 3B and 3C.

10
11 CHAIRMAN THOMAS: I'm going to have to get
12 guidance from the Council. Are these crafted as such that
13 we can deal with them simultaneously or do we need to
14 handle them individually? Fred?

15
16 MR. CLARK: But -- you asked the Council
17 but would you like the staff's opinion on it as well?

18
19 CHAIRMAN THOMAS: Well, what do you think
20 you are, public or what? Sure.

21
22 MR. CLARK: Well, my opinion is, is that
23 the issues that are brought up by the different proposals
24 would warrant handling them individually.

25
26 CHAIRMAN THOMAS: We'll do that. Thank
27 you, sir. We are now considering Proposal Number 34.

28
29 MR. CASIPIT: Twenty-five, sir.

30
31 CHAIRMAN THOMAS: Twenty-five.

32
33 MR. CASIPIT: Our preliminary staff
34 conclusion is to pose this proposal -- coho escapements and
35 production on Prince of Wales Island seems to be quite good
36 and that we don't see the need to restrict non-Federally
37 qualified users at this time.

38
39 CHAIRMAN THOMAS: Any questions from staff?

40
41 (No audible responses)

42
43 CHAIRMAN THOMAS: Hearing none -- anybody's
44 processes going too slow for me here? Okay. Department,
45 please.

46
47 MR. CHADWICK: Chairman, I'm Bob Chadwick,
48 sport fish. The State agrees with the Federal analysis
49 that coho runs on Prince of Wales are generally healthy and

50 a sports bag -- a reduction in the sport bag limit is not

00225

1 warranted.

2

3 CHAIRMAN THOMAS: Questions? Patti? Patti
4 first -- Dolly first.

5

6 VICE-CHAIR GARZA: No, you said Patti.

7

8 CHAIRMAN THOMAS: Patti's got a mouthful.

9

10 VICE-CHAIR GARZA: So how good is
11 monitoring?

12

13 MR. CHADWICK: Currently sport fish
14 monitors four systems on Prince of Wales Island. The
15 Harris, Maybe So, Chitling Creek and Port St. Nick get that
16 assistance.

17

18 CHAIRMAN THOMAS: Patti?

19

20 MS. PHILLIPS: The proposer talks about an
21 increase in fish processing operations, what is he talking
22 about?

23

24 MR. CHADWICK: He was talking about non-
25 Federally qualified users going to areas on Prince of Wales
26 Island accessible by the road system and setting up, you
27 know, their camps to harvest coho and then process them
28 into cans or what have you.

29

30 VICE-CHAIR GARZA: Are you guys aware of
31 that?

32

33 MR. CHADWICK: Mr. Chair, Ms. Phillips. I
34 do live on the island here and I have seen a few of these
35 set up mainly on sockeye systems. Mr. Lewis does live on
36 the Harris River and he would -- he does spend more time
37 out there.....

38

39 CHAIRMAN THOMAS: Breaker one-nine, would
40 you speak into the mike?

41

42 MR. CHADWICK: Oh, sorry sir.

43

44 CHAIRMAN THOMAS: And it looks like a
45 (indiscernible) exactly.

46

47 MR. CHADWICK: Thank you. But to answer
48 your question, you know, that does happen. I haven't seen
49 -- I've been here since '96, I haven't seen an increase.

50 I've actually seen a decrease in people actually setting up

00226

1 camps and canning on the -- what systems would I -- Sarka,
2 Red Bay and also on the Harris. But I can't speak for
3 Mr. Hiatt. That's my personal position.

4
5 CHAIRMAN THOMAS: Dolly?

6
7 VICE-CHAIR GARZA: Yeah, I wasn't through
8 with my question. So you said that there is monitoring on
9 four streams. So do you have someone there at each of
10 those four streams throughout the season on a daily basis?

11
12 MR. CHADWICK: No ma'am. They are index
13 systems which are monitored by foot. Two are done by foot
14 and two are done by helicopter. And they're done around
15 the same time each year. The foot surveys are done more
16 than once. Due to the cost of helicopter surveys, I go
17 onto to the Harris like I did last week, look at it and try
18 to gage when most of the fish are in the creek and then I
19 spend the money on the helicopter survey and do that
20 survey.

21
22 VICE-CHAIR GARZA: So your monitoring is
23 talking about the health of the coho. I guess I was asking
24 about monitoring about whether or not there is somebody
25 there weekly putting up fish or -- you know, how often is
26 somebody looking at who's at the rivers.

27
28 MR. CHADWICK: Just whenever I'm -- you
29 know I also do do some law enforcement. I am on the Harris
30 and stay here in the summer at least briefly. And this
31 year I can say I have not seen anybody canning fish. I
32 have seen people, you know, fishing that were not residents
33 but as for canning and fish processing, I can't speak to
34 that. I did not see it this year. There are, you know, it
35 is a visible system in that it's right on the road and a
36 lot of people can get in there -- non-residents and
37 residents. Did that answer your question, I'm sorry. I'm
38 a little nervous. I'm sorry.

39
40 CHAIRMAN THOMAS: Mike?

41
42 MR. DOUVILLE: Which do you walk and which
43 do use a helicopter on?

44
45 MR. CHADWICK: We use the helicopter on
46 Harris and the Maybe So River and then Port St. Nick and
47 108 Gregger (ph) are done by foot.

48
49 MR. DOUVILLE: 108 is Shikine Creek then?

00227

1 MR. CHADWICK: Oh, I'm sorry. We also do
2 -- we have started doing to Shikine. 108 Creek is a big
3 creek out of Whale Pass and then.....

4
5 MR. DOUVILLE: But you walk these systems?
6

7 MR. CHADWICK: Yes, sir. And we've added
8 Shikene on and we didn't add it into our information yet
9 because we only four years of data so far.

10
11 CHAIRMAN THOMAS: Further questions?
12 Dolly?

13
14 VICE-CHAIR GARZA: So in terms of the
15 health of the stocks in those four systems, how far back
16 does your monitoring and population estimates go?

17
18 MR. CHADWICK: We do not derive the
19 population estimates in the survey. This is an index.
20 It's a relative count. We don't count all the fish in it.
21 It gives us a trend of run size to see if it's going up or
22 down. What was the -- I'm sorry.

23
24 VICE-CHAIR GARZA: How far back is the
25 index system?

26
27 MR. CHADWICK: We have data on.....

28
29 VICE-CHAIR GARZA: You shouldn't be
30 nervous, we're not going to bite you.

31
32 MR. CHADWICK: Oh, no, I know. I'm just --
33 I appreciate the candor there. At least 12 years and it
34 might be more and I'd be lying to you if -- or talking to
35 my neck [sic] if I were to tell exactly how many years but
36 I know it at least goes back 12. I can get the information
37 but at least 12. We're usually looking at 10 year average
38 when we're comparing the index counts.

39
40 CHAIRMAN THOMAS: Further questions? Mike?

41
42 MR. DOUVILLE: Yes, how do you decide which
43 streams that you are going to do this indexing on? How do
44 you come to choose these?

45
46 MR. CHADWICK: Okay, well the ones that
47 were basically given to me were -- we like to keep a long,
48 long history data. So when I came in '96, 108, Harris,
49 Maybe So and Port St. Nicholas Creek were already chosen.

50 And we try to do a -- try to spread them out east and west

00228

1 side of the island and then, you know, the northern end
2 there. Shikine, we don't have a real good -- we didn't
3 have a real good indicator stock on the west side and so
4 that's why I'm starting to do it with Shikine -- Shikine
5 Creek. And I think it was done one year previous so I
6 can't claim that I started that one (indiscernible).

7
8 MR. DOUVILLE: I got one more ques -- I
9 might have missed something. Are you just doing cohos then
10 or doing all fish?

11
12 MR. CHADWICK: At those times we count
13 whatever -- to answer your question, we do it for coho on
14 coho timing but other fish that are in the creek are also
15 counted at that time.

16
17 CHAIRMAN THOMAS: So you're there
18 especially when the cohos are there?

19
20 MR. CHADWICK: Right.

21
22 CHAIRMAN THOMAS: Not necessarily before.

23
24 MR. CHADWICK: Well, we definitely start
25 early just to make sure that we haven't missed the run.
26 You know, we walk it.

27
28 CHAIRMAN THOMAS: So you see other species?

29
30 MR. CHADWICK: Yes, sir.

31
32 CHAIRMAN THOMAS: Even if there's no cohos
33 there?

34
35 MR. CHADWICK: Right.

36
37 CHAIRMAN THOMAS: Okay. Any more
38 questions?

39
40 MR. LAITI: I have a question.

41
42 CHAIRMAN THOMAS: Butch.

43
44 MR. LAITI: Mr. Chair. How many -- on non-
45 rural people, how many cohos a day are allowed?

46
47 MR. CHADWICK: How many cohos are they
48 what?

49

MR. LAITI: How many cohos are they allowed

00229

1 a day to take.

2

3 MR. CHADWICK: They're allowed to take six.

4

5 VICE-CHAIR GARZA: I think that's

6 Southeast-wide.

7

8 MR. LAITI: Pardon?

9

10 VICE-CHAIR GARZA: I think that's

11 Southeast-wide, six a day -- isn't it?

12

13 MR. HOFFMAN: Mr. Chairman, Steve Hoffman,
14 Fish and Game. Yes, the regional limit is six coho per day
15 and 12 in possession, but we do have some exceptions to
16 those regulations in some areas, primarily around urban
17 communities such as Ketchikan. The limit over there is two
18 per day of all salmon in combination. So generically
19 speaking, it is two a day.

20

21 MR. MARTIN: Mr. Chairman?

22

23 CHAIRMAN THOMAS: Yes.

24

25 MR. MARTIN: So this six limit refers to
26 both saltwater and streams?

27

28 MR. HOFFMAN: Mr. Chairman, yes, it's six
29 per day in saltwater and fresh water.

30

31 MR. MARTIN: Thank you.

32

33 CHAIRMAN THOMAS: John?

34

35 MR. LITTLEFIELD: I have a question for
36 them. What streams have you taken inseason productions on?
37 Or what waters, not streams, have you taken inseason
38 productions on this year? From six to two or some other
39 limit.

40

41 MR. CHADWICK: From Prince of Wales?

42

43 MR. LITTLEFIELD: No, area-wide.

44

45 MR. CHADWICK: The only place I'm currently
46 aware of that would be in the Sitka area. Tom Brick (ph)
47 the Sitka biologist will talk to that if you needed more
48 clarification.

49

MR. HOFFMAN: Mr. Chairman and

00230

1 Mr. Littlefield, yes that's correct. The Sitka areas are
2 the only place we've taken, you know, reduction, you know,
3 on our take.

4
5 VICE-CHAIR GARZA: This year.

6
7 MR. HOFFMAN: This year.

8
9 CHAIRMAN THOMAS: Okay, guys. We're
10 sticking -- this has to do with Prince of Wales so let's
11 try to confine that. Let's not cover the world on these
12 every time. Thank you. Public comments, Jolene Edenshaw.

13
14 MS. EDENSHAW: Thank you, Mr. Chairman. I
15 would like to ask these guys first of all, how can you
16 identify a coho from a helicopter?

17
18 MR. CHADWICK: Easy.

19
20 MS. EDENSHAW: Tell me. I've lived here
21 all my life, I'm real curious and so are my constituents
22 back here.

23
24 MR. CHADWICK: All I can do is give you my
25 word that I can do it in flight. We can go to the Harris
26 bridge sometime and I can show you.

27
28 MS. EDENSHAW: I've lived here all my life
29 and I have my uncle here, you know, that's been around that
30 -- you know, sometimes you -- looking in the river when
31 it's just like this -- the rain. That's amazing to me that
32 you can do that from a helicopter.

33
34 MR. CHADWICK: Thank you.

35
36 MS. EDENSHAW: Thank you. Anyway.....

37
38 MR. CHADWICK: (Indiscernible - away from
39 microphone) question my integrity.

40
41 MS. EDENSHAW: That's amazing to me. The
42 other thing is, we were just talking back here about the
43 coho and I'm really glad here that Butch here asked the
44 question on how many they're allowed to take right now. I
45 would like to see the limit go to one. Where else can you
46 go besides the state of Alaska and get a permit and go out
47 and catch coho anywhere else? You can't go to Washington
48 state and just get a permit and go fishing, it's not
49 allowed. But yet we allow it to non-residents. Any non-

50 resident -- they pay a little bit more but six coho, that's

00231

1 -- and we're only allowed 20 sockeye a day? That's unreal
2 to me, a non-resident can come in and stock up. Be here a
3 week, they got a winter supply. I would like to see you go
4 to a one limit if you have to give them.....

5
6 CHAIRMAN THOMAS: For subsistence?

7
8 MR. EDENSHAW: For the non-residents.

9
10 CHAIRMAN THOMAS: For subsistence?

11
12 MR. EDENSHAW: For subsistence or whatever.
13 For the coho.

14
15 CHAIRMAN THOMAS: We can only address the
16 subsistence use of the resources.

17
18 MR. EDENSHAW: Right and that's what you're
19 talking about.

20
21 CHAIRMAN THOMAS: Yeah.

22
23 MR. EDENSHAW: You're talking about
24 limiting them to two, is the proposal. I'm suggesting that
25 maybe you should go to one.

26
27 CHAIRMAN THOMAS: Okay, we will take that
28 under advisement.

29
30 MR. EDENSHAW: Thank you, sir.

31
32 CHAIRMAN THOMAS: Okay, any questions of
33 Jolene? (Tlinget)

34
35 MR. LITTLEFIELD: Mr. Chairman,
36 clarification.

37
38 CHAIRMAN THOMAS: Okay.

39
40 MR. LITTLEFIELD: I'm looking at Page 44
41 and I did not see on that page where it said -- I know that
42 he's comparing Prince of Wales with -- I don't know what
43 the language is there. Maybe you could clarify that
44 because that just says reduce the coho sport bag limit to
45 two fish per day in streams accessible by the road system
46 and it doesn't have any -- it doesn't identify any place.
47 So if it's a road system in Southeast.....

48
49 CHAIRMAN THOMAS: Well there really is no

50 -- there's no language. How should the regulation read,

00232

1 there's nothing there. Okay, let's stop and take a breath
2 for a minute. You guys are sounding like the Tonight Show.
3 Let's stay organized. Mr. Douville has a question.

4
5 MR. DOUVILLE: I would like you to consider
6 tabling this one and going on to 34 as it addresses a
7 similar issue.

8
9 CHAIRMAN THOMAS: Do you want to make a
10 motion?

11
12 MR. DOUVILLE: I hope that's what I wanted
13 to say. I'm just trying to figure out if 34 would shed
14 some light on this one here number -- after it's discussed.

15
16 CHAIRMAN THOMAS: A motion to table is very
17 innocent and what it will do is it will close this one
18 until come back and we all take it off the table.

19
20 MR. DOUVILLE: I'd move to table and.....

21
22 CHAIRMAN THOMAS: Is there a second?

23
24 VICE-CHAIR GARZA: Second.

25
26 CHAIRMAN THOMAS: Second, no debate. All
27 those in favor say aye.

28
29 IN UNISON: Aye.

30
31 CHAIRMAN THOMAS: Those opposed.

32
33 (No opposing responses)

34
35 CHAIRMAN THOMAS: Okay.

36
37 MR. CLARK: Mr. Chairman?

38
39 CHAIRMAN THOMAS: Yes.

40
41 MR. CLARK: Clarification. You'll finish
42 the rest of the process for Proposal 25 then later in terms
43 of the assembly of written public comments and that stuff,
44 later?

45
46 CHAIRMAN THOMAS: The only thing left on
47 there was public comment.

48
49 MR. CLARK: Written public comments and

50 public comments.

00233

1 CHAIRMAN THOMAS: Oh, that's true. We can
2 do that, if you want.

3
4 VICE-CHAIR GARZA: Yes.

5
6 CHAIRMAN THOMAS: Just more information,
7 huh Fred?

8
9 MR. CLARK: Yeah, we can do it later.

10
11 CHAIRMAN THOMAS: Okay, later. See how
12 easy I am? When I don't know where I'm at, I'm really
13 easy. Just don't take advantage of me. The meat is not
14 I'm not a pushover.

15
16 Okay, we're dealing now with Proposal 34, is that
17 correct?

18
19 MR. CASIPIT: Proposal 34 was submitted by
20 Mr. Michael Douville of Craig, Regional Advisory Council
21 member. He requests that a Federal subsistence permit to
22 take coho salmon be issued for sub-districts 3B and 3C,
23 basically the waters of Northwest and Westcentral Prince of
24 Wales Island. At the time the proposal did not specify a
25 season harvest limit or a methods and means. Mr. Clark did
26 contact Mr. Douville while we were analyzing this proposal
27 and he suggested a limit of 20 fish and allowable gear to
28 include rod and reel and spears.

29
30 CHAIRMAN THOMAS: Is there some way you
31 could take better advantage of the mike?

32
33 MR. CASIPIT: Sorry. He suggested an
34 annual harvest limit of 20 coho salmon and allowable gear
35 to include rod and reel and spears. He said that bait
36 should be allowed but only during peak of the run in
37 September. I guess I'll just cut to the chase and go to
38 our preliminary conclusion. We support the proposal. We
39 suggest an annual harvest limit of 20 fish per household.
40 A year round season. The harvest gear would be rod and
41 reel and spears and bait would be allowed from September
42 15th through November 15th.

43
44 CHAIRMAN THOMAS: Any questions of staff?

45
46 (No audible responses)

47
48 CHAIRMAN THOMAS: Okay, hearing no
49 questions, departments?

00234

1 MR. STOPHA: Mr. Chairman, My name is Mark
2 Stopha, I'm the subsistence program coordinator liaison
3 with the Division of Commercial Fisheries. Under this
4 proposal the State concurs with the Federal draft analysis.
5 I guess our only concern is that if coho as a species is
6 removed from the general prohibition on subsistence permit,
7 then it may be legal for a permit to be issued anywhere not
8 just in 3B and C as this one states. And if this is true,
9 the State would like to insure that those permits include
10 at a minimum a -- restrictions on gear, limit, seasons and
11 report requirements.

12
13 CHAIRMAN THOMAS: State that again, please.

14
15 MR. STOPHA: If coho comes into this
16 process, the State was -- just wanted to insure that if
17 there would be some sort of permitting and tabulation on
18 catch and things like that to go along with the allowing
19 coho take.

20
21 CHAIRMAN THOMAS: I would hope so, I
22 mean.....

23
24 MR. STOPHA: Yeah, that's all.

25
26 CHAIRMAN THOMAS:if we're going to
27 pose a number on the harvest then we should have some way
28 of recording that or having those numbers available. But
29 that's not up to the users. Like, these people love being
30 part of the bureaucracy and that something they will have
31 to design. Any questions?

32
33 (No audible responses)

34
35 CHAIRMAN THOMAS: Thank you so much. Other
36 agency comments?

37
38 (No audible responses)

39
40 CHAIRMAN THOMAS: Summary of written
41 comments? Fred.

42
43 MR. CLARK: Mr. Chairman, the Southeast
44 Alaska Fisherman's Alliance says that prior to acting on
45 this proposal, the Federal Subsistence Board must make the
46 customary and traditional use determination for coho then
47 identify the need for a subsistence fishery and determine
48 whether subsistence needs are being met. They suggest
49 approaching this on a regional basis instead of on a piece

50 meal basis.

00235

1 United Fishermen of Alaska supports the proposal to
2 the extent that it helps align Federal and State
3 management. Finally, the Eastern Prince of Wales Fish and
4 Game Advisory Committee is opposed to this proposal. The
5 majority of opinion is that coho should not be targeted for
6 subsistence harvest in fresh water, it should only be
7 incidental take. During low water, coho would be easily
8 susceptible to over-harvest.

9
10 CHAIRMAN THOMAS: Thank you.

11
12 MR. CLARK: And that concludes the written
13 public comments.

14
15 CHAIRMAN THOMAS: Thank you. Okay, that
16 brings us to the Council for deliberations, recommendations
17 and justification. What's the wish of the Council?

18
19 MR. LAITI: Mr. Chairman?

20
21 CHAIRMAN THOMAS: What?

22
23 MR. LAITI: I've got a question for Fred.
24 Fred, was that Southeast United Fisherman that wanted to
25 okay that for subsistence of cohos?

26
27 MR. CLARK: The United Fisherman of Alaska
28 supports the proposal.

29
30 MR. LAITI: For making cohos a subsistence
31 fish?

32
33 MR. CLARK: Apparently.

34
35 CHAIRMAN THOMAS: Okay, we're to
36 deliberations and we've got.....

37
38 MR. LITTLEFIELD: I have a question on the
39 staff recommendations where they talked about modifying the
40 regulations.

41
42 CHAIRMAN THOMAS: Is that.....

43
44 VICE-CHAIR GARZA: Page 59.

45
46 MR. LITTLEFIELD: On Page.....

47
48 MR. CLARK: Fifty-six.

49

MR. LITTLEFIELD: You see, I got two of

00236

1 them open here, excuse me.

2

3 MR. CLARK: We put it in lots of places so
4 you won't ever get confused.

5

6 CHAIRMAN THOMAS: How come you got two
7 open?

8

9 MR. LITTLEFIELD: This one has little
10 colors on it. Okay anyway, that Section 26(i)(13)(v), that
11 applies statewide doesn't that? That regulation?

12

13 MR. CASIPIT: Mr. Chairman?

14

15 CHAIRMAN THOMAS: Yes.

16

17 MR. CASIPIT: Mr. Chairman, Council. That
18 particular regulation, 26(i)(13)(v), appears in the
19 regulation specific to the Southeast Alaska management area
20 and it was one of those, you know, it was one of the parts
21 of the State regulation that was adopted in Federal
22 regulation when we instituted the Final Rule. This
23 proposal would change that part of the regulation to read
24 that permits would eliminate coho salmon for that so that
25 the Federal Board could issue permits for coho salmon in
26 the Southeast Alaska management area.

27

28 VICE-CHAIR GARZA: Mr. Chairman?

29

30 CHAIRMAN THOMAS: Dolly.

31

32 VICE-CHAIR GARZA: I'm getting confused so
33 I'd like the maker of the motion to clarify what he
34 intended. Because I thought I was following and then when
35 you get over it combines actually Proposal 34 and 35, which
36 drags in sockeye.

37

38 CHAIRMAN THOMAS: I don't know that a
39 motion was made.

40

41 CHAIRMAN GARZA: No, the writer of the
42 proposal, Mr. Douville. What was your intent?

43

44 MR. DOUVILLE: With this proposal?

45

46 VICE-CHAIR GARZA: Uh-huh (affirmative).

47

48 MR. DOUVILLE: That it be enacted.

49

CHAIRMAN THOMAS: Uh-huh (affirmative).

00237

1 MR. DOUVILLE: We don't currently have a
2 system where a subsistence user can go get a permit and
3 specifically go get cohos. It's been denied by the State
4 for a long time. This proposal was aimed at doing exactly
5 that however it only applies to fresh water. What I would
6 really like to see is that the State agree and say yes,
7 there's enough coho and issue permits as they do for
8 sockeye at this time. So hopefully we'd be able to take
9 them in saltwater, which would be the preference. However,
10 if that is not the case then we would use other means.
11 Does that help?

12
13 CHAIRMAN THOMAS: So you restrict to fresh
14 water if nothing changes from the State?

15
16 MR. DOUVILLE: Well, you would have to but
17 in reality what we would like to do is to go get cohos as
18 we go get sockeyes today.

19
20 CHAIRMAN THOMAS: Well we can't authorize
21 that.

22
23 MR. DOUVILLE: I realize that but that
24 would be a wish of mine.

25
26 CHAIRMAN THOMAS: Okay.

27
28 VICE-CHAIR GARZA: Mr. Chairman?

29
30 CHAIRMAN THOMAS: Dolly.

31
32 VICE-CHAIR GARZA: So I fully support the
33 intent of the proposal to provide subsistence opportunities
34 for coho. One of the concerns I see that just kind of
35 jumps right out at me is the 20 fish bag limit because in
36 Redoubt, what we would see is that we were limited to 10
37 sockeye a day per family. When we would sit out there and
38 watch a six-pack boat of six non-locals taking six a piece
39 so there's driving away with 36 coho where we've got 10
40 sockeye. And that may be the case here, you've got a
41 family that goes over and gets 20 coho and then you've got
42 these guys flying in and each one of them getting six. If
43 there's four on the boat then the sport people will
44 actually walk away with more coho than the subsistence.
45 And that really irks some people in Sitka using the foulest
46 language I can get away with without being balled out by
47 Harold again.

48
49 CHAIRMAN THOMAS: Okay, here's the deal.

50 We're talking subsistence user. Whatever ever other user

00238

1 groups do, we have no control of. We have to sit here like
2 they don't exist. Our job is to provide, period. It
3 doesn't say anything about anybody else until we run into a
4 problem and we got Section 804 of the laws for a
5 restriction and priority use. So I think that this
6 proposal has good merit and warrants support.

7

8 MR. DOUVILLE: Mr. Chairman.

9

10 CHAIRMAN THOMAS: Mike.

11

12 MR. DOUVILLE: My proposal did not include
13 any numbers on it when I originally made it. In a
14 conversation with Mr. Clark later, I was pressed for a
15 number. This number was just put there -- in my mind there
16 was no number. I felt that at the time I made the proposal
17 that the people with biologist behind their titles would
18 determine how many or at least have some insight as to how
19 many fish would be feasible.

20

21 CHAIRMAN THOMAS: I'm not sure that was
22 proper. For one thing, if you didn't have that, that
23 changed your intent. That part of it should have been left
24 perhaps to the deliberations of the Council. And numbers
25 have a tendency to criminalize -- to generate
26 criminalization and that's what we're trying to avoid. And
27 in considering an action like this, we can consider that
28 particular part if the Council wishes to do so. If you're
29 happy with what he -- then that's fine too. Further
30 discuss -- okay, we're ready for an action on the Council.
31 Fred?

32

33 MR. CLARK: Mr. Chairman, I just wanted to
34 say that if I indeed -- if I misunderstood Mr. Douville's
35 intent then I apologize. And also to remind the Council
36 that all the conclusions that we've come up with are indeed
37 draft conclusions so it's -- you know, I do hope that you
38 keep that in mind, that you can modify these conclusions as
39 you see fit.

40

41 CHAIRMAN THOMAS: Thank you.

42

43 MR. MARTIN: Mr. Chairman, for purpose of
44 consideration I move that we adopt Proposal 34.

45

46 CHAIRMAN THOMAS: It's been moved, is there
47 second?

48

49 MR. STOKES: Second.

00239

1 CHAIRMAN THOMAS: Seconded three times,
2 okay. Discussion?

3
4 MS. WILSON: Mr. Chairman?

5
6 CHAIRMAN THOMAS: Marilyn.

7
8 MS. WILSON: Well I got to tell you, I'm
9 thoroughly confused.

10
11 VICE-CHAIR GARZA: I'm there with you
12 Marilyn. So.....

13
14 MS. WILSON: It seems like this proposal
15 should ask for the customary and traditional use of coho.

16
17 CHAIRMAN THOMAS: I have nothing against
18 that.....

19
20 MS. WILSON: And I don't understand what
21 this proposal is asking.

22
23 CHAIRMAN THOMAS: I'm not going to touch
24 that one because nobody in this state know what customary
25 and tradition is.

26
27 MS. WILSON: Well that's what we're here
28 for.

29
30 CHAIRMAN THOMAS: Tell us what it means.

31
32 VICE-CHAIR GARZA: Mr. Chair.

33
34 MR. CLARK: Fred.

35
36 MR. CLARK: I'll defer to Dolly.

37
38 CHAIRMAN THOMAS: Dolly.

39
40 VICE-CHAIR GARZA: I guess it would be my
41 intent to support the proposal and if we pass it to ask the
42 Federal Subsistence Board to recognize C&T, if that is
43 required.

44
45 MR. CLARK: Point of clarification. Coho
46 is recognized in the Federal C&Ts. It is under the C&Ts
47 already. It was a suggestion made by this Council that all
48 salmon species be included and they were.

49

VICE-CHAIR GARZA: Okay.

00240

1 MR. CLARK: So it already is.

2

3 MS. WILSON: I forgot anyway.

4

5 CHAIRMAN THOMAS: How soon you forget.

6

7 MR. LITTLEFIELD: Mr. Chairman?

8

9 CHAIRMAN THOMAS: John.

10

11 MR. LITTLEFIELD: Is the language we are
12 adopting in full -- is at least what I thought I was
13 seconding -- is on Page 52 of how the new regulation should
14 read. Is that what you made the motion to? At least
15 that's what I thought it was saying.

16

17 (Multiple off record discussions)

18

19 MR. CASIPIT: Mr. Chairman.

20

21 CHAIRMAN THOMAS: Cal.

22

23 MR. CASIPIT: The preliminary conclusion
24 and our suggestion appears on Page 56 -- sorry, under
25 preliminary conclusions. It talks about modifying that
26 paragraph we talked about earlier, 26(i)(13)(v), to strike
27 coho from that so that the Board could issue permits for
28 coho and further to specify and annual harvest limit of 20
29 fish per household, a year round season, restriction of
30 harvest gear to rod and reel and spears and date allowed
31 from September 15th through November 15th.

32

33 CHAIRMAN THOMAS: So by striking coho, it
34 means to take coho out of the equation?

35

36 MR. CASIPIT: No, it takes coho out of the
37 prohibition that the Federal Subsistence Board.....

38

39 CHAIRMAN THOMAS: It takes it out of
40 prohibition.....

41

42 MR. CASIPIT: Well, the way it reads right
43 now, that paragraph, it says permits will not be issued for
44 the taking of chinook or coho salmon. What this does is
45 strike coho salmon from that paragraph so that coho salmon
46 permits can be issued by the Board.

47

48 CHAIRMAN THOMAS: A-a-a-h. All

49 together.....

00241

1 IN UNISON: A-a-a-h.

2

3 VICE-CHAIR GARZA: Okay so in passing this
4 proposal -- supporting this proposal then we would support
5 the new wording on Page 52 and it would be limited to
6 subdistricts 3B and 3C or.....

7

8 UNIDENTIFIED SPEAKER: No.

9

10 VICE-CHAIR GARZA: Or -- the way the new
11 regulation reads, is the new regulation is Southeast-wide.

12

13 MR. CASIPIT: Correct, the new regulation
14 would be Southeast-wide. The paragraph 26(i)(13)(v) would
15 be Southeast-wide. It opens the door for the Board to
16 issue coho permits.

17

18 VICE-CHAIR GARZA: For all of Southeast.

19

20 MR. CASIPIT: For all of Southeast but the
21 proposal itself only asked for 3B and 3C. May I clarify a
22 little.

23

24 CHAIRMAN THOMAS: Yeah, clarify then Mike's
25 got a question.

26

27 MR. CASIPIT: Mike has a question, I'll
28 clarify. We have to make a change to the region-wide
29 regulations before the Board could act on the intent of the
30 proposal. The intent of the proposal is to change the
31 regulations for subdistricts 3B and 3C but you can't do
32 that unless you change the other part first. Because right
33 now there's a prohibition against having permits for coho.
34 You have to take that out and then you're free to change
35 the regulations and have a permit for coho the way that you
36 want it to read. However you decide you want it to read.

37

38 CHAIRMAN THOMAS: Dolly?

39

40 VICE-CHAIR GARZA: So Patti will shoot me
41 but going contrary to my position last time where I was
42 trying to be, let's limit it to Prince of Wales because
43 this is what we understand, can Sitka say well geez, we
44 want this too, can you throw in Unit 4? So it would be 3B,
45 3C and Unit 4.

46

47 CHAIRMAN THOMAS: Fred.

48

49 MR. CLARK: The only caution that I would

50 bring forward is that the Board is likely -- because it

00242

1 wasn't in the analysis and it didn't go out to the public
2 -- that they may say there wasn't enough public review and
3 so they would go to -- they may or may not say there's not
4 sufficient evidence. Just a caution.

5
6 VICE-CHAIR GARZA: Okay. So if we support
7 the proposal with Unit 3B and 3C and it has the staff
8 support and it has public support and it requires that the
9 regulation change be made, then other units could then ask
10 for this for their region in the next cycle?

11
12 MR. CLARK: That's correct.

13
14 VICE-CHAIR GARZA: Okay.

15
16 CHAIRMAN THOMAS: Question -- Mike.

17
18 MR. DOUVILLE: I have a question for the
19 ADF&G. Is there anywhere in Southeast that you issue
20 subsistence or personal use permits for coho?

21
22 MR. DOHERTY: Mr. Chairman, Bill Doherty
23 from Ketchikan. Mike, on our existing permit system right
24 now, you are allowed any harvesting -- mostly the sockeyes
25 is the -- subsistence fishery is aimed at. You're allowed
26 six cohos in possession on a daily basis, today.

27
28 VICE-CHAIR GARZA: Per person or per
29 family?

30
31 MR. DOHERTY: I would be -- I'd have to go
32 back and look at that. I can't remember off the top of my
33 head whether it's six per person or six.....

34
35 UNIDENTIFIED SPEAKER: I think it's
36 six.....

37
38 MR. DOHERTY: I don't want to comment on
39 that because I'm not sure right now.

40
41 CHAIRMAN THOMAS: Would it be acceptable to
42 the Council if Mr. Doherty had a chance to research that
43 for more accuracy, forward that to Fred, Fred can
44 distribute that advisory. Is that acceptable?

45
46 MR. LITTLEFIELD: On what?

47
48 CHAIRMAN THOMAS: On the number thing.

49

00243

1 VICE-CHAIR GARZA: Bill?

2
3 CHAIRMAN THOMAS: Yes.

4
5 MR. LITTLEFIELD: You're talking about
6 incidental catch, isn't that correct? There are no permits
7 issued directly for coho and I believe that was what his
8 question was.

9
10 MR. DOUVILLE: That was not my
11 question.....

12
13 MR. LITTLEFIELD: Okay.

14
15 MR. DOHERTY: Mr. Chairman, correct.
16 Several years ago as folks came into the Department and
17 said well what happens when I -- as I'm targeting sockeyes
18 I catch a coho or a king salmon or other -- coho and
19 chinook are the two species that they are asking about. At
20 that time we then changed our permit existing to allow a
21 by-catch if you will of cohos. But really, during the
22 directed sockeye fishery. At this time if someone came
23 into an area office and asked for a directed coho
24 subsistence permit in the marine waters, we don't have that
25 authority right now.

26
27 CHAIRMAN THOMAS: Now it's my understanding
28 that those provisions you got on the permit also enhances
29 monitoring of harvest of those limited species. If you're
30 going after sockeye and you catch a certain number of other
31 types of salmon that they recorded and you can look at that
32 and that will be part of your data?

33
34 MR. DOHERTY: Mr. Chairman, that's correct.
35 And I'm looking at the example of our.....

36
37 CHAIRMAN THOMAS: Okay.

38
39 MR. DOHERTY:permit right now
40 and.....

41
42 UNIDENTIFIED SPEAKER: Bottom left side.

43
44 MR. DOHERTY: Oh, it's in real small print.
45 Coho and.....

46
47 UNIDENTIFIED SPEAKER: King salmon.

48
49 MR. DOHERTY:is six per person, I do

50 believe that says. It'd be the same as a (indiscernible)

00244

1 fish bag limit for individuals too. And also Mr. Chairman,
2 just to point to another area of Southeast, subsistence
3 salmon fishing permits for Hasselborg River coho salmon are
4 issued from the Juneau area office. So there is an area in
5 Southeast where there is a directed coho permit for
6 subsistence.

7
8 CHAIRMAN THOMAS: Did everybody get that?
9 Everybody got that. Patti?

10
11 MS. PHILLIPS: I support this proposal but
12 passing -- getting this permit will allow for the directed
13 subsistence harvest of coho in areas in Section 3B and 3C.
14 Is that correct?

15
16 CHAIRMAN THOMAS: That's my understanding.

17
18 MS. PHILLIPS: Can we amend it to say
19 Southeast area-wide?

20
21 CHAIRMAN THOMAS: Has there been a motion
22 made?

23
24 MR. MARTIN: There's a motion to adopt for
25 discussion purposes.

26
27 CHAIRMAN THOMAS: Okay, an amendment's in
28 order.

29
30 UNIDENTIFIED SPEAKER: What's the motion?

31
32 MR. MARTIN: Mr. Chairman, question. So
33 it's actually -- what this proposal does is create a permit
34 system for cohos similar to the permits in for sockeye, is
35 that right? Then I think we should put state -- Southeast-
36 wide on it.

37
38 CHAIRMAN THOMAS: Okay, Bill, I think
39 that's all. Thank you.

40
41 MR. MARTIN: I'd like to offer an amendment
42 to the motion to strike 3B and 3C and insert Southeast-
43 wide.

44
45 MS. PHILLIPS: Second.

46
47 CHAIRMAN THOMAS: You all heard the motion
48 and second. Discussion? Butch, question?

49

MR. LAITI: If you go all of Southeast, I

00245

1 think you might want to change the type of gear used.

2
3 CHAIRMAN THOMAS: To what?

4
5 MR. LAITI: Maybe someone wants to use a
6 shallow gillnet on say on the (indiscernible -
7 interrupted).

8
9 MR. MARTIN: Gear has already been decided.

10
11 VICE-CHAIR GARZA: Dipnet and.....

12
13 CHAIRMAN THOMAS: Okay, we're to -- we're
14 still discussing the amendment to include all of Southeast
15 and that will speak only to the amendment to include --
16 gear types is another consideration. Dolly?

17
18 VICE-CHAIR GARZA: Mr. Chairman, I'm in
19 favor of the concept of it but I think for the wording we
20 should say 3B and 3C and the remainder of Southeast because
21 if Fred is right and the staff says we don't have enough
22 information, I don't think 3B and 3C should go down the
23 drain.

24
25 MS. PHILLIPS: Right.

26
27 CHAIRMAN THOMAS: Okay, everybody who wants
28 to see 3C go down the drain, show your hands.

29
30 MS. WILSON: Mr. Chairman, was that a
31 friendly amendment to the motion?

32
33 CHAIRMAN THOMAS: No.

34
35 MS. WILSON: No.

36
37 CHAIRMAN THOMAS: That was just an
38 unfriendly comment.

39
40 MS. PHILLIPS: As the second, I take it as
41 a friendly amendment.

42
43 MR. LITTLEFIELD: I would like to ask the
44 maker of the motion to see if we can -- if it would be
45 acceptable to consider this in two parts. Number 1 is the
46 regulation and then address the area or areas.

47
48 MR. MARTIN: Mr. Chairman, the maker of the
49 motion has no objections.

00246

1 CHAIRMAN THOMAS: That is allowed, I don't
2 -- I completely ran out of parliamentary language. You've
3 exhausted everything I had. You broke me.

4
5 VICE-CHAIR GARZA: But wait.....

6
7 CHAIRMAN THOMAS: Wait.....

8
9 VICE-CHAIR GARZA: If you look at Page 52
10 and the actual proposal submitted, there's nothing on here
11 on regulations.

12
13 CHAIRMAN THOMAS: John.

14
15 MR. LITTLEFIELD: I'd like to speak to my
16 motion. Adopting the regulation will do exactly what we
17 want, I believe, and that's the -- it will allow us to
18 issue coho permits. The method and mean is not addressed,
19 gear is not addressed. If we adopt that new regulation I
20 think it just legitimizes the coho permits to be issued
21 Southeast-wide and I assume that is definite.

22
23 CHAIRMAN THOMAS: Okay, I'm just going to
24 offer a little caution. It's not a threat but our staff is
25 reminding us very diligently about possible motives,
26 understandings, interpretations of the Federal Subsistence
27 Board who ultimately accepts or rejects our recommendation.
28 So I'm just -- just a little warning. So we want to be
29 careful with the actions we take and the justifications we
30 use. Fred?

31
32 MR. CLARK: Cautions notwithstanding, I
33 think the Council should do whatever you feel like doing.
34 What you think is right regardless of what you think the
35 Board might do. Make your recommendations as best you can
36 do and the roll with the punches would be my advice.
37 However, that being said, if you don't make some
38 recommendations in terms of harvest limits and seasons and
39 gear -- if you don't get that on record then you're going
40 to leave it up to administrators who produce the permit to
41 use their own discretion. So if you have opinions about
42 gear, about seasons, about use of bait or anything along
43 those lines, make sure you get it on record. And the best
44 way to do that is through motions and putting it as part of
45 your recommendation.

46
47 CHAIRMAN THOMAS: What's the voice of the
48 Council?

49

UNIDENTIFIED SPEAKER: Question.

00247

1 CHAIRMAN THOMAS: Question's been called
2 for.

3
4 VICE-CHAIR GARZA: What's the motion?

5
6 MR. LITTLEFIELD: The motion is to consider
7 as the first part to adopt the language on Page 52, how
8 should the new regulations read. And that's what -- we're
9 not addressing any area, just that. We will do that next.

10
11 VICE-CHAIR GARZA: So this is part of your
12 suspension package?

13
14 MR. LITTLEFIELD: In other words, we're
15 only talking about issuing coho permits. Have not
16 addressed 3B and 3C yet or Southeast or any other area.
17 We're only legitimizing the coho user and I'm ready, I call
18 for the question.

19
20 CHAIRMAN THOMAS: No, I want all these
21 thinkers to have an opportunity. Is everybody on track
22 with this motion. Marilyn?

23
24 MS. WILSON: So the way I think of it when
25 you want this to pass is that we're opening the door for
26 the coho to be given to us under permit -- we can take a
27 permit?

28
29 MR. LITTLEFIELD: That's correct.

30
31 MS. WILSON: And that's all this does,
32 right.

33
34 CHAIRMAN THOMAS: Further comment,
35 discussion?

36
37 (No audible responses)

38
39 CHAIRMAN THOMAS: Call for the question.

40
41 MS. PHILLIPS: Question.

42
43 CHAIRMAN THOMAS: Question's been called.
44 All those in favor, say aye.

45
46 IN UNISON: Aye.

47
48 CHAIRMAN THOMAS: Those opposed?

49

00248

1 CHAIRMAN THOMAS: Motion carried. That
2 brings us back to 34.

3
4 MR. LITTLEFIELD: We're on the second part,
5 permit.

6
7 (Multiple off record conversations)

8
9 MR. CLARK: Second part.

10
11 MR. LITTLEFIELD: We made it legal
12 statewide, now we need to address subdistrict C and B.
13 Mr. Chairman, I'm ready to make a motion.

14
15 CHAIRMAN THOMAS: Motion.

16
17 MR. LITTLEFIELD: Make a motion that we
18 issue a Federal permit for subdistricts 3B and 3C with the
19 recommendations on Page 47. The annual harvest limit is 20
20 fish per household; year round season; restriction of
21 harvest gear to rod and reel, spears; bait allowed from
22 September 15th to November 15th.

23
24 MR. CLARK: Pardon me, is that Page 57?

25
26 MS. WILSON: He means 50. It's 50.

27
28 UNIDENTIFIED SPEAKER: 57 also.

29
30 MR. CLARK: Yeah, it's 57 also.

31
32 UNIDENTIFIED SPEAKER: Fifty-seven doesn't
33 have the gear one.

34
35 MR. LITTLEFIELD: Anyway, my motion would
36 be to drop that language.

37
38 UNIDENTIFIED SPEAKER: Question.

39
40 CHAIRMAN THOMAS: It hasn't been seconded.

41
42 VICE-CHAIR GARZA: Second.

43
44 CHAIRMAN THOMAS: Now is there further
45 discussion.

46
47 MR. LAITI: Mr. Chairman.

48
49 CHAIRMAN THOMAS: Butch.

00249

1 MR. LAITI: Yeah, is that gear type, is
2 that just for 3B and 3C?

3
4 CHAIRMAN THOMAS: 3B and 3C.

5
6 MS. PHILLIPS: Is it -- Mr. Chair -- is it
7 your intention to leave out Southeast?

8
9 MR. LITTLEFIELD: May I respond to that?
10 No, I was kind of -- this is specific to 3B and 3C and they
11 asked for it. Nobody else did at this time and I don't
12 know why -- they will -- I'm sure they will now that they
13 know that there's a permit open. And I would encourage
14 that but we're addressing only what we're asked for right
15 now. I don't want to address what Yakutat asked for or
16 they may want to use the gillnets or dipnets or whatever
17 like that so only addressing 3B and 3C at this time. Other
18 communities can do what they want to do on a water by water
19 basis. That's my take.

20
21 CHAIRMAN THOMAS: I want to know if the
22 gear type listed shows you the skill they have in this
23 area.

24
25 MR. LITTLEFIELD: The maker is here.

26
27 CHAIRMAN THOMAS: Further disc -- you want
28 to use a gillnet? No? In the creeks?

29
30 MR. DOUVILLE: You can amend it if you
31 want.

32
33 VICE-CHAIR GARZA: Dipnet.

34
35 MR. LITTLEFIELD: I'm certainly amenable to
36 that.

37
38 CHAIRMAN THOMAS: Spear and rod and reel
39 good enough.

40
41 (Multiple off record conversations)

42
43 VICE-CHAIR GARZA: Jolene has a.....

44
45 MS. EDENSHAW: Mr. Chairman, we'd like to
46 be included in that area also.

47
48 CHAIRMAN THOMAS: No -- we let her do
49 boundaries this morning. 3B and 3C, you're part of 3B and

00250

1 MR. CLARK: Mr. Chairman, point of
2 clarification. Hydaburg does not have a positive customary
3 and traditional use determination for 3B and 3C.

4
5 CHAIRMAN THOMAS: Oh, they don't.

6
7 MR. CLARK: Only in 3A.

8
9 CHAIRMAN THOMAS: Okay, how do we rectify
10 that?

11
12 VICE-CHAIR GARZA: We could say 3A, 3B and
13 3C.

14
15 MS. EDENSHAW: Thank you.

16
17 CHAIRMAN THOMAS: Make a motion.

18
19 UNIDENTIFIED SPEAKER: You can amend it.

20
21 UNIDENTIFIED SPEAKER: Amend it.

22
23 VICE-CHAIR GARZA: Mr. Chairman, I would
24 amend the motion to include subdistricts 3A, 3B and 3C.

25
26 CHAIRMAN THOMAS: Here's the motion, is
27 there a second?

28
29 MR. LITTLEFIELD: I'll second it.

30
31 VICE-CHAIR GARZA: And that is at the
32 request of the 3A people.

33
34 CHAIRMAN THOMAS: Moved and second, it's
35 says by the 3A people. Discussion? Carla?

36
37 MS. YATES: Carla Yates from Craig
38 Community Association. I speak in favor of the motion. I
39 just was wondering if the maker of the motion would
40 consider adding a dipnet to the harvest gear. Some of us
41 can't use spears that well. I'd just like to ask for your
42 consideration.

43
44 CHAIRMAN THOMAS: Anybody in a council can
45 do that. It doesn't have to be the maker and it doesn't
46 have to be the author of the -- right now we're discussing
47 including 3A.

48
49 VICE-CHAIR GARZA: The amendment for 3A so

50 I would call for the question for including 3A.

00251

1 CHAIRMAN THOMAS: The question's been
2 called for. Does everybody understand the motion? Say
3 aye.

4
5 IN UNISON: Aye.

6
7 CHAIRMAN THOMAS: Opposed?

8
9 (No opposing responses)

10
11 CHAIRMAN THOMAS: Would somebody like
12 to.....

13
14 VICE-CHAIR GARZA: Mr. Chairman.

15
16 CHAIRMAN THOMAS: Dolly.

17
18 VICE-CHAIR GARZA: Mr. Chairman, I would
19 like to amend the motion to include rod, reel, spears and
20 dipnets for Carla Yates.

21
22 CHAIRMAN THOMAS: Okay.

23
24 MS. WILSON: I second that, Mr. Chairman.

25
26 CHAIRMAN THOMAS: It's moved and second --
27 discussion?

28
29 MS. RUDOLPH: Question.

30
31 CHAIRMAN THOMAS: Question's been called.
32 All in favor say aye.

33
34 IN UNISON: Aye.

35
36 CHAIRMAN THOMAS: All opposed?

37
38 (No opposing responses)

39
40 MR. CLARK: Mr. Chairman, just for the
41 record, that the amendment would be for -- to include rod,
42 reel and spears and dipnets?

43
44 CHAIRMAN THOMAS: Yes.

45
46 VICE-CHAIR GARZA: Spears are on there so
47 just dipnets would follow it after.

48
49 MR. CLARK: Okay and strike the words, for

00252

1 VICE-CHAIR GARZA: Well, I don't know.

2 Okay.

3

4 CHAIRMAN THOMAS: Okay, now we're to the
5 main motion with the related amendments. Are we ready for
6 the question?

7

8 MR. MARTIN: Question.

9

10 CHAIRMAN THOMAS: The question's been
11 called. All those in favor say aye.

12

13 IN UNISON: Aye.

14

15 CHAIRMAN THOMAS: Opposed, same sign.

16

17 (No opposing responses)

18

19 CHAIRMAN THOMAS: That motion carries.
20 Jolene and Carla are the only happy ones in here. If it
21 was after dinner, I wouldn't be so easy.

22

23 VICE-CHAIR GARZA: So we can keep going on
24 in line or we can go back to Proposal 25 which is the coho
25 proposal.

26

27 CHAIRMAN THOMAS: Madame Chairman, I'd like
28 to go back.

29

30 VICE-CHAIR GARZA: Okay, so there's a
31 request to pull 25 back off the table. Hearing no
32 objection.

33

34 MS. EDENSHAW: Madame Chairman, before you
35 move on, the Boys and Girls Club meets, they need to know
36 whether you're going to be needing the space again this
37 evening?

38

39 VICE-CHAIR GARZA: We will.

40

41 MS. EDENSHAW: Thank you.

42

43 VICE-CHAIR GARZA: Opened 'til two. Okay,
44 so we have Proposal 25 on the table.

45

46 MR. LITTLEFIELD: I'd like to bring it off
47 the table.

48

49 CHAIRMAN THOMAS: Second.

00253

1 VICE-CHAIR GARZA: Proposal 25 is before
2 us. The intent of the proposal was to limit non-Federally
3 recognized -- or not Federally recognized non-subsistence
4 users to two coho per day on the road system on Prince of
5 Wales. The staff analysis said that the coho stocks were
6 healthy and that it was not necessary. What is the wish of
7 the Board?

8
9 MR. CLARK: Public comments.

10
11 VICE-CHAIR GARZA: Oh, so we had staff
12 analysis, we have written comments, public comments and
13 then Council deliberation. Written comments?

14
15 MR. CLARK: I wish just for fun that we
16 didn't have any. The Eastern Prince of Wales Fish and Game
17 Advisory Committee is opposed to the proposal. Their
18 majority opinion is that there does not appear to be a
19 conservation concern with coho at this time. Also at least
20 one member is an outfitter lodge owner/guide and felt this
21 would limit his customers too much, especially if there was
22 no conservation concerns. Further, the Southeast Alaska
23 Fisherman's Alliance opposes the proposal because no
24 customary and traditional finding has been identified.
25 Because the proposal does not identify the need for a
26 subsistence fishery and because it does not address the
27 issue of subsistence needs not being met nor or there
28 criteria established for restricting non-subsistence users.
29 Finally, the Southeast Alaska Seiners takes no position on
30 the proposal but suggests that the Federal Subsistence
31 Board should establish a criteria for restricting State
32 managed fisheries. That concludes the written public
33 comments.

34
35 VICE-CHAIR GARZA: Okay, are there public
36 comments?

37
38 MS. WILSON: Mr. Chairman -- Madame
39 Chairman.

40
41 VICE-CHAIR GARZA: Marilyn.

42
43 MS. WILSON: There was a paper distributed
44 to us from the Eastern Prince of Wales Fish and Game and
45 that they had comments.

46
47 VICE-CHAIR GARZA: Right. That was what
48 Fred read.

49

MR. CLARK: That was the first comment.

00254

1 MS. WILSON: Oh, was it. Oh, I didn't hear
2 it.

3
4 VICE-CHAIR GARZA: So they opposed it.
5 Does their district include Harris River -- that was one of
6 the major rivers?

7
8 MR. CLARK: I'm not sure, I'd have to ask
9 somebody from the State.

10
11 UNIDENTIFIED SPEAKER: No.

12
13 VICE-CHAIR GARZA: So if it is a sport --
14 is that right? If it's a sport fishery, then it's a State
15 regulation. The most we can do is voice our objection to
16 it, right?

17
18 MR. CLARK: Right.

19
20 VICE-CHAIR GARZA: I mean, we can't tell
21 the State to change their regulations.

22
23 CHAIRMAN THOMAS: We haven't tried.

24
25 MR. CLARK: Well, both of those are true in
26 somewhat and some way. The Federal Subsistence Board can
27 reach out and restrict non-subsistence use to protect
28 subsistence use. I don't think that there are any clear
29 guidelines about what it would take nor what it would take
30 to do that. I don't know, if Ida has any additional.....

31
32 VICE-CHAIR GARZA: Yeah, she's raising her
33 hand.

34
35 MR. CLARK:information on that.
36 That's why we bring Ida, because she knows all that stuff.

37
38 CHAIRMAN THOMAS: I thought you were saying
39 Haida.

40
41 MS. HILDEBRAND: Thank you Mr. Chair,
42 Madame Chairman. Ida Hildebrand, BIA staff committee
43 member. I'm not familiar with these particular waters but
44 if they're on Federal lands, if they're on the Tongass and
45 it's not marine waters, it's Federal jurisdiction and if
46 the Feds haven't made a regulation then the State law
47 applies. When the Federal Board makes a determination and
48 chooses to close those lands to non-subsistence users then
49 Federal law applies.

00255

1 MR. CLARK: May I ask a question. Pardon
2 me for not knowing this already but is there any time where
3 the Federal Subsistence Board has reduced non-subsistence
4 harvest whether it be fish or wildlife without completely
5 eliminating it to make more subsistence opportunity? Which
6 is what this does, it's kind of a halfway proposal.

7
8 MS. HILDEBRAND: Madame Chairman, if that
9 was directed at me.....

10
11 MR. CLARK: Yes, it was.

12
13 MS. HILDEBRAND:they've generally --
14 they, the Federal Board -- has generally acted on either a
15 complete closure or leave it open. However, at the request
16 of various Councils, there was a solicitor's opinion that
17 if the Federal Board has the authority to open and close,
18 they can do anything in between.

19
20 MR. CLARK: Thank you. So you can do
21 whatever you want to.

22
23 CHAIRMAN THOMAS: Is it the property of the
24 Advisory Council now?

25
26 VICE-CHAIR GARZA: Yes, what is the wishes
27 of the Council? Mr. Thomas?

28
29 CHAIRMAN THOMAS: Madame Chair, I would
30 move that we reject this proposal.

31
32 MS. WILSON: No, adopt. Then you got to
33 vote it down, don't you?

34
35 VICE-CHAIR GARZA: Yeah. You're being
36 called on protocol, Bill.

37
38 CHAIRMAN THOMAS: I can move that we reject
39 this proposal.....

40
41 MS. RUDOLPH: Second.

42
43 CHAIRMAN THOMAS: This isn't A and B now,
44 this is bureaucracy.

45
46 MR. LITTLEFIELD: So is he making a motion?
47 Is there a motion on the floor?

48
49 CHAIRMAN THOMAS: Yeah, I move to reject.

00256

1 VICE-CHAIR GARZA: Is there a second to his
2 improper motion?

3
4 MS. RUDOLPH: I second it.

5
6 VICE-CHAIR GARZA: Yep, Mary's right with
7 him.

8
9 CHAIRMAN THOMAS: Discussion?

10
11 VICE-CHAIR GARZA: Yeah.

12
13 VICE-CHAIR THOMAS: The reason being, I
14 don't disagree with the concern of the language in the
15 proposal. The reason I am moving to reject is because it
16 doesn't give harvest data; it doesn't mention a threat of
17 the stock being in peril as it's result and what the data
18 that we have before us doesn't indicate that this is at a
19 point to where it would put the stocks in peril.

20
21 MS. RUDOLPH: Madame Chair.

22
23 VICE-CHAIR GARZA: Mary.

24
25 MS. RUDOLPH: Are we in discussion now?

26
27 VICE-CHAIR GARZA: Yep.

28
29 MS. RUDOLPH: And we already.....

30
31 VICE-CHAIR GARZA: You seconded it.

32
33 MS. RUDOLPH: So we're still on -- God, I
34 must be tired, because I don't know where.....

35
36 VICE-CHAIR GARZA: Okay, in terms of point
37 of order, even though it is a negative motion I will allow
38 it because the Council is asking for us for guidance. We
39 either tell them we support it or we don't.

40
41 MR. LITTLEFIELD: I object to your ruling.

42
43 VICE-CHAIR GARZA: So noted.

44
45 MR. MARTIN: Madame Chairman, I have a
46 substitute motion. I'd like to offer a motion to adopt the
47 proposal, you can vote it down.

48
49 MS. WILSON: I second it.

00257

1 MR. LITTLEFIELD: I already have a motion
2 on the floor.

3
4 MR. MARTIN: (Indiscernible) that
5 substitute motion.

6
7 MS. WILSON: Madame Chair, I have a remark.

8
9 VICE-CHAIR GARZA: Marilyn.

10
11 MS. WILSON: I want to vote this motion
12 down too. I don't think we have enough information like
13 Bill said.

14
15 VICE-CHAIR GARZA: I don't think anyone's
16 arguing that -- that we're getting into a protocol argument
17 which I don't really want to get into.

18
19 MR. DOUVILLE: Madame Chairman, what is the
20 difference between voting it down and rejecting as Bill's
21 motion -- can somebody please explain that to me? What the
22 differences would be?

23
24 VICE-CHAIR GARZA: Under Robert's Rules of
25 Order, you cannot make a negative motion.

26
27 MR. LITTLEFIELD: The correct -- can I
28 explain?

29
30 VICE-CHAIR GARZA: Uh-huh (affirmative).

31
32 MR. LITTLEFIELD: The correct motion would
33 be to adopt 25, to second it and then vote it down. That
34 would be the correct motion and I would be in favor of
35 that.

36
37 CHAIRMAN THOMAS: Madame Chair?

38
39 VICE-CHAIR GARZA: Mr. Thomas.

40
41 CHAIRMAN THOMAS: When you get to the
42 Board, the Board doesn't go through all this nonsense. If
43 they don't support our recommendation, they vote to reject.
44 And they do business and they determine your destiny on
45 that language.

46
47 VICE-CHAIR GARZA: Okay.

48
49 CHAIRMAN THOMAS: I'll yield to all the

50 sensitivity, Madame Chair.

00258

1 VICE-CHAIR GARZA: Okay, so there is a
2 motion to substitute. There is a second. Hearing no
3 objection, the substitute motion is that we support
4 Proposal 25 -- 4? Five? Twenty-five.

5
6 UNIDENTIFIED SPEAKER: Twenty-five.

7
8 MR. MARTIN: Question.

9
10 VICE-CHAIR GARZA: It's my understanding
11 that all of the comments are against this motion due to
12 lack of data, et cetera, et cetera.

13
14 CHAIRMAN THOMAS: I've changed my position,
15 Madame Chair, I intend to vote for it.

16
17 (Laughter)

18
19 UNIDENTIFIED VOICE: Question.

20
21 CHAIRMAN THOMAS: Question was called.

22
23 VICE-CHAIR GARZA: Question, Jolene?

24
25 MS. EDENSHAW: Can I ask you a question?
26 Because you're voting against it, that means it's going to
27 stay the same where it is right now? The season is open
28 year round with a limit of six fish daily and 12 in
29 possession.....

30
31 UNIDENTIFIED SPEAKER: Per person.

32
33 MS. EDENSHAW:per person and over
34 here you just limited us -- my subsistence to 20 annual.
35 Per family, annually. That's -- that doesn't make a bit of
36 sense to me for the non-Federally qualified subsistence
37 users, they're allowed six a day and 12 in possession where
38 as we're, subsistence users, are at annual harvest limits
39 of 20 fish per household.

40
41 CHAIRMAN THOMAS: Point of order, Madame
42 Chair. Public comment has expired.

43
44 MS. EDENSHAW: Nobody could recognize the
45 public comment, sorry. I didn't have my hand up. Thank
46 you.

47
48 VICE-CHAIR GARZA: All right.

49

CHAIRMAN THOMAS: Madame Chair?

00259

1 VICE-CHAIR GARZA: Mr. Thomas.

2
3 CHAIRMAN THOMAS: As a courtesy response,
4 Jolene, the reason I made my comments as they were and the
5 reason this didn't jump off and knock me off the bridge is
6 because there wasn't any number data but the information we
7 got is that this is not jeopardizing our run -- it's not
8 jeopardizing any system. If it was then we would -- now
9 next year, if we find that our decision this time was in
10 error then we have the opportunity then to make some
11 adjustments to this to where we won't protect that
12 particular stock.

13
14 MS. EDENSHAW: Can I respond?

15
16 VICE-CHAIR GARZA: Go ahead, Jolene, but
17 come up here, please.

18
19 MS. EDENSHAW: I know. Because I just
20 disagree with that, that we wait a full year to see what
21 this is going to do. If you take the data you have right
22 here, right now where the season is open year round with a
23 limit of six fish daily and 12 in possession for non-
24 Federally qualified subsistence users, right? Okay, that's
25 -- they can have six per day or 12 in possession. Whereas
26 you just limited subsistence users to an annual harvest
27 limit of 20 fish per household. That's.....

28
29 UNIDENTIFIED SPEAKER: Not right.

30
31 MS. EDENSHAW: That's not right. It
32 doesn't make a bit of sense and now you're telling me that
33 it doesn't -- you're going to wait a year and see how this
34 turns out and it's not going to effect us but it is. If a
35 family comes over here from wherever and goes out to Harris
36 River with their camper and parks there and six of them get
37 out, six times six is what? That's more than what we're
38 allowed. That doesn't -- that's -- I'm sorry guys, that
39 doesn't make any sense, what you just did.

40
41 CHAIRMAN THOMAS: Well I'm the only one who
42 voted for it, everybody else agreed to it. I'm the only
43 one who voted for it. Everybody else voted it down.

44
45 MS. EDENSHAW: Okay, can you explain why
46 you voted it down then.....

47
48 CHAIRMAN THOMAS: Because they all
49 disagreed with me.

00260

1 VICE-CHAIR GARZA: Point of order. We have
2 not made a vote yet, so (indiscernible - coughing).

3
4 CHAIRMAN THOMAS: Call for the question.

5
6 VICE-CHAIR GARZA: Okay so we need to
7 clarify where we are. Because we are looking at a proposal
8 that would request that there be a reduction in the --
9 basically the sport harvest from six to two, the non-
10 residents. Is it only non-resident sport harvest?

11
12 MS. EDENSHAW: Yes, that's what Proposal 25
13 is.

14
15 VICE-CHAIR GARZA: Butch?

16
17 MR. LAITI: Point of order. I was just
18 wanting to respond here.

19
20 VICE-CHAIR GARZA: Okay, just a second.
21 Butch?

22
23 MR. LAITI: I just wanted to respond to
24 her, that was 20 cohos per year or per household.

25
26 VICE-CHAIR GARZA: Right.

27
28 UNIDENTIFIED SPEAKER: That is per year.

29
30 MS. EDENSHAW: It's the annual harvest
31 limit.....

32
33 MR. LAITI: Per household.

34
35 MS. EDENSHAW:of 20 fish per
36 household.

37
38 MR. LAITI: Cohos.

39
40 MS. EDENSHAW: Yeah.

41
42 VICE-CHAIR GARZA: This is coho.

43
44 MS. EDENSHAW: This is coho too.

45
46 MR. LITTLEFIELD: When you say fish, it
47 really makes (indiscernible). Because you get to go get
48 sockeye (indiscernible).

49

MS. EDENSHAW: Okay, no it's coho.

00261

1 VICE-CHAIR GARZA: Mr. Point of Order.

2
3 MR. LITTLEFIELD: I believe there's a
4 motion on the table to substitute language to go back to
5 where we started from, and we just start all over.

6
7 VICE-CHAIR GARZA: No, that was just a
8 (indiscernible).

9
10 MR. LITTLEFIELD: In other words, it was to
11 put the original proposal back on.

12
13 VICE-CHAIR GARZA: It is, I heard no
14 objection so we are looking at the original -- supporting
15 the original proposal.

16
17 MR. LITTLEFIELD: Did you make a ruling on
18 that?

19
20 VICE-CHAIR GARZA: Yep, you heard my no
21 objection?

22
23 MR. LITTLEFIELD: I didn't -- no, I didn't.

24
25 VICE-CHAIR GARZA: Yeah. We are now
26 looking at Proposal 25 in support of.....

27
28 MR. STOKES: Madame Chairman?

29
30 VICE-CHAIR GARZA: Dick.

31
32 MR. STOKES: This would address individuals
33 that come from out of state and they're able to purchase an
34 out of state license. And they have -- I've witnessed
35 people come and -- going on the airplane with five to ten
36 boxes of fish going out and they're apparently doing it
37 legal. And I just don't think they should have the same
38 privileges that we have.

39
40 CHAIRMAN THOMAS: We're a parliamentary,
41 correct? We should be raising the question.

42
43 VICE-CHAIR GARZA: Okay, are there any
44 other concerns by the Council? Patti.

45
46 MS. PHILLIPS: Madame Chair, I just have a
47 comment that there is -- what I've read is that there's no
48 conservation concerns for coho salmon documented even
49 though we have anecdotal comments, there is not documented

50 conservation concern for coho salmon.

00262

1 MS. WILSON: Madame Chair?

2
3 VICE-CHAIR GARZA: Marilyn.

4
5 MS. WILSON: And on the other hand, we've
6 never been able to get coho on a subsistence permit.

7
8 VICE-CHAIR GARZA: So you're saying that
9 harvest can increase?

10
11 MS. WILSON: Yeah. I think I was getting
12 confused on the number here. It's six coho per day for the
13 people that don't live here and 12 in possession. And
14 Jolene's right, so it kind of makes me rethink this. But
15 then, in order to do that, well I think the Board would
16 wonder why we passed it without any information. There's
17 no numbers.

18
19 VICE-CHAIR GARZA: Okay, John and then
20 Butch and did you have your hand up Floyd?

21
22 MR. LITTLEFIELD: I will be voting for this
23 motion and it's going to be based on my perception that the
24 issuance of coho subsistence permits will increase the coho
25 harvest on these systems. So therefore that's enough
26 justification for me.

27
28 VICE-CHAIR GARZA: Butch.

29
30 MR. LAITI: Yeah, these people, you know,
31 if we restrict them to two fish on the river well then
32 they'll just have to go rent a boat and get the rest of
33 their fish out of saltwater. These non-residents. They'll
34 still be allowed six fish a day, they just won't be able to
35 get it in fresh water.

36
37 VICE-CHAIR GARZA: You got us all
38 convinced, Jolene.

39
40 CHAIRMAN THOMAS: I'm ready for the
41 question.

42
43 VICE-CHAIR GARZA: Okay, call for the
44 question on Proposal 25, which would reduce the coho
45 harvest limit to two fish per day for non-Federally
46 qualified subsistence -- what is a non-Federally qualified
47 subsistence user?

48
49 MS. WILSON: Somebody from Ketchikan.

00263

1 VICE-CHAIR GARZA: Okay, in streams
2 accessible by the road system on Prince of Wales. Call for
3 the question. All in favor of Proposal 25 say aye.

4
5 IN UNISON: Aye.

6
7 VICE-CHAIR GARZA: All opposed.

8
9 (No opposing responses)

10
11 VICE-CHAIR GARZA: The proposal passes.

12
13 MR. MARTIN: Madame Chair.

14
15 VICE-CHAIR GARZA: Mr. Martin.

16
17 MR. MARTIN: I'll move reconsider Proposal
18 34 -- 34B. Madame Chair, I believe the term annual somehow
19 got by us. I'm just -- I want to reconsider so we can
20 clarify this, is what we really want.

21
22 MR. DOUVILLE: Page 50.

23
24 VICE-CHAIR GARZA: I had that circled and I
25 forgot to get to it, Harold, you're right.

26
27 MS. WILSON: What page?

28
29 MR. MARTIN: Page 50.

30
31 VICE-CHAIR GARZA: Okay, there is a motion
32 to reconsider, it has been seconded. Call for the
33 question. Just to put it back on the table.

34
35 MS. WILSON: Madame Chair, I thought we
36 passed this as amended?

37
38 VICE-CHAIR GARZA: Yeah, and Mr. Martin is
39 asking us to reconsider it because of the annual harvest
40 limit of 20 fish, whether or not that number should be
41 reconsidered.

42
43 MS. WILSON: So what's the motion?

44
45 VICE-CHAIR GARZA: To reconsider it to put
46 it back on the table.

47
48 CHAIRMAN THOMAS: Is there a second?

49

MR. LITTLEFIELD: Yes.

00264

1 VICE-CHAIR GARZA: Yes.

2
3 CHAIRMAN THOMAS: Question. The question.

4
5 VICE-CHAIR GARZA: All in favor say aye.

6
7 IN UNISON: Aye.

8
9 VICE-CHAIR GARZA: Opposed?

10
11 (No opposing responses)

12
13 VICE-CHAIR GARZA: Mr. Martin?

14
15 MR. MARTIN: Madame Chair, I think Jolene
16 brought out a good comment. I'm just wondering if the
17 annual harvest limit is what we really want. It seems to
18 me like 20 fish per household annually is a very minimal
19 amount.

20
21 VICE-CHAIR GARZA: Mr. Douville? Mr.
22 Douville. Patti, Mr. Douville's asked for the floor.

23
24 MR. DOUVILLE: That number was put in
25 there, I realize it's conservative. I was a little bit
26 timid in doing this because one, I've never had an
27 opportunity to catch cohos since I was a kid, I guess. And
28 realizing that some of these streams are -- don't have a
29 big run so that number was -- may be in some people's mind,
30 I guess, a bit conservative. However, we can change it to
31 whatever you think is more comfortable.

32
33 VICE-CHAIR GARZA: Mr. Littlefield?

34
35 MR. LITTLEFIELD: I'd like to amend the
36 motion per sentence to read where it says an annual harvest
37 limit of 20 fish per household, I'd like to change that to
38 a -- strike the word annual and put in a daily harvest
39 limit of 20 fish per household.

40
41 CHAIRMAN THOMAS: Madame Chairman?

42
43 UNIDENTIFIED SPEAKER: Second.

44
45 VICE-CHAIR GARZA: Mr. Thomas -- oh,
46 haven't got a second yet.

47
48 CHAIRMAN THOMAS: I think if we're going to
49 -- that's going to change the character of the proposal in

50 numbers that's going to have an impact on harvest. That

00265

1 being the case, I think we should go back and give the
2 managing agencies opportunity to give us some of their
3 protections as a result if they feel they're in a position
4 to do something.

5
6 VICE-CHAIR GARZA: Did anybody from Fish
7 and Game or Federal Fisheries from Prince of Wales care to
8 venture forward?

9
10 MS. WILSON: Madame Chair?

11
12 VICE-CHAIR GARZA: Marilyn.

13
14 MS. WILSON: Can I ask a question? Usually
15 up in Haines there's a season for the cohos to run. So I
16 imagine down here there's a season and it's not -- probably
17 not that long. So maybe it should be instead of a daily
18 limit maybe an annual limit like it has down here. And
19 make it a larger number because you don't get cohos
20 sporadically, you get it seasonally.

21
22 VICE-CHAIR GARZA: Butch?

23
24 MR. LAITI: I agree with this. I think
25 maybe 15 fish annually per person or 20 fish annually per
26 person, you know, instead of family.

27
28 MR. PROBASCO: Madame Chair, may I
29 approach?

30
31 VICE-CHAIR GARZA: Pete.

32
33 MR. PROBASCO: Pete Probasco, the State
34 liaison. In other areas of the State, a common practice is
35 when you get into these dilemmas is to put it per member of
36 household if you wanted to increase your limit. So instead
37 of 20 per household it would be per member of household,
38 Madame Chair.

39
40 VICE-CHAIR GARZA: Is there public comment,
41 Jolene?

42
43 MS. EDENSHAW: You're the Southeast Federal
44 Subsistence Regional Advisory Council. You should be
45 looking out for our interest. I'm sorry, I don't mean to
46 be disrespectful here but over here you just passed
47 Proposal 25 where you state a limit -- it was a limit of
48 six fish daily and 12 in possession for the non-Federally
49 qualified subsistence.

00266

1 VICE-CHAIR GARZA: No, we took your.....

2

3 MS. EDENSHAW: No, this is for how it was
4 -- this is what it was before, okay, before you just
5 changed it to two a day and here you are struggling over
6 what subsistence -- the coho subsistence would be for us,
7 for subsistence users. You're struggling over annually --
8 an annual harvest -- it was an annual harvest and I'm glad
9 you brought it back to the floor to a daily harvest. Over
10 here you switched to two a day, it didn't matter the season
11 but over here it matters. It bothers me.

12

13 VICE-CHAIR GARZA: Do you have a
14 recommendation?

15

16 MS. EDENSHAW: A recommendation -- I go
17 with his recommendation, a daily harvest limit, because
18 like you said, there is a season but if you're not going to
19 put a season on this, then why put a season on us. So go
20 with your daily harvest limit of 20 because you know
21 there's only a season and people are only able to go out
22 during that season and harvest so it should be a daily
23 limit. It should not be -- you shouldn't put restrictions
24 on us -- on subsistence users.

25

26 VICE-CHAIR GARZA: Butch?

27

28 MR. LAITI: Do you have a daily sockeye
29 limit?

30

31 MS. EDENSHAW: Sadly we do.

32

33 MR. LAITI: How many a day?

34

35 MS. EDENSHAW: Twenty per household.

36

37 MR. LAITI: Every day?

38

39 MS. EDENSHAW: Yes. We'd like to see you
40 raise that limit too. But that's coming up here, I guess.

41

42 VICE-CHAIR GARZA: Okay, Mary.

43

44 MS. RUDOLPH: What we're trying to do is
45 work with rural areas. So when you come up and give us a
46 comment it's your concern and this is what we rule by. So
47 it's what we all work on and not what we want to do for
48 ourselves. It's what we thrive on is a comment from --
49 public comments.

00267

1 VICE-CHAIR GARZA: Okay, Pete.

2
3 MR. PROBASCO: Madame, I'll venture the
4 table would be (indiscernible). And I just want -- the
5 Council is going through a very good process here of trying
6 to determine the harvest limit and I will first admit that
7 I have a very limited knowledge of the systems on Prince of
8 Wales but you have quite a few people here both locally as
9 well as State and Federal that do. I think it's very
10 important that you take a look and get the concept of the
11 size of your systems so that you don't institute a limit
12 that going to result down the road in drastic reductions in
13 your ability to harvest subsistence-wise. Do you want to
14 have a limit here that's going to one, sustain the
15 population from year to year? To Council, that's my
16 caution, Madame Chair.

17
18 VICE-CHAIR GARZA: Bill?

19
20 CHAIRMAN THOMAS: Well, what he said is
21 very true but at the same time what Jolene's saying is very
22 true. We're looking at a specific identifying user group
23 as defined in Title VIII. And while I have no argument
24 with -- nobody here wants to see a system depleted to a
25 point of jeopardy. We don't want that to happen. But we
26 are working in this body representing a priority
27 philosophy. And we're exercising that philosophy. So the
28 numbers we come up with now will probably require some
29 adjustment of other user groups if for a chance this has a
30 negative impact on the populations. So I think that in our
31 considerations of numbers we should be realistic to satisfy
32 the needs of the people and do that only. It's only good
33 for a year; we can fine tune it as we go along but if we've
34 got an opportunity to provide, we don't want to lose that
35 opportunity.

36
37 VICE-CHAIR GARZA: Harold.

38
39 MR. MARTIN: Thank you, Madame Chair. I
40 appreciate the comments by the agency people and the
41 public. I think Marilyn brought out a good example that we
42 do have seasons. Natives take great pride in being self
43 limiting and self regulating. These protocols still exist
44 in the Native communities. We taught these protocols from
45 the time we started fishing and hunting. On what to take,
46 how much we take, what not to take, when to take it and
47 when not to take them. I taught these to my children. My
48 dad taught this to me. These things have been handed down
49 from generation to generation and existed long before

50 Christopher Columbus got lost on our shores. Seasons are

00268

1 very short, very much like halibut. Not everybody has the
2 means to go out. We have to get away from this perception
3 that if there's 300 households in this community, 300
4 households will be out there fishing all summer long.
5 That's not so, only very few people have the means to go
6 out and get these fish however we do share with other
7 people. Just a comment, Madame Chair.

8
9 VICE-CHAIR GARZA: Bill?

10
11 CHAIRMAN THOMAS: Madame Chairman, we're
12 all kind of dancing around on numbers and my knees are
13 sore, I can't dance that well. So I would move that.....

14
15 VICE-CHAIR GARZA: We had a motion on the
16 table.

17
18 CHAIRMAN THOMAS: What's the motion?

19
20 VICE-CHAIR GARZA: That we have a daily
21 harvest limit of 20 fish per household.

22
23 MR. LITTLEFIELD: Up to 20 fish per
24 household.

25
26 VICE-CHAIR GARZA: Up to 20 fish. So
27 that's what you said, was up to, Harold?

28
29 MR. MARTIN: That was his motion.

30
31 VICE-CHAIR GARZA: Was up to 20 fish per
32 household.

33
34 CHAIRMAN THOMAS: Per what period?

35
36 MR. LITTLEFIELD: Year round, daily.

37
38 VICE-CHAIR GARZA: A daily limit of up to
39 20 fish per household.

40
41 MS. RUDOLPH: It's the same as the other
42 one. It was year round.....

43
44 CHAIRMAN THOMAS: I would like to amend
45 that to read, for periods of July, August and September and
46 from October to April, we should be allowed 900 per family.

47
48 VICE-CHAIR GARZA: Hearing no second, that
49 amendment dies. Mary?

00269

1 MS. RUDOLPH: I wanted to make the same
2 comment that Harold did and I made a mistake yesterday.
3 I'm not 63, I'm 62 so -- I'm not a year older. But in our
4 village when fish is plentiful, we have more -- with me
5 taking care of my own -- we have more people that come up.
6 Last week we had king salmon brought up, gum boots brought
7 up. We had smoked black cod brought up. And so this is,
8 you know, like what Harold said, we don't need to abuse
9 what we have but we are, I think, kind of running out of
10 time in handing this heritage to our kids. I mean, if do
11 it this -- the way it is now, I think it is going to move
12 in the right direction.

13
14 VICE-CHAIR GARZA: Floyd?

15
16 MR. KOOKESH: Madame Chairman. If you ask
17 me, a very good conservation program that already exists
18 currently is the request is 20 per household. It's based a
19 lot -- looking at those numbers compared to six per person.
20 That is considered conservative even in that respect.

21
22 VICE-CHAIR GARZA: Fred?

23
24 MR. CLARK: Oh, I just wanted to point out
25 that the Council hasn't discussed the other part of the
26 staff recommendation and that's the issue of monitoring.
27 Where staff recommendation included increasing the monitor
28 of coho so you would know if there was over-harvesting
29 particular streams no matter what the bag limit was.

30
31 VICE-CHAIR GARZA: We can add that to a
32 request?

33
34 MR. CLARK: Yeah, you could do that.

35
36 VICE-CHAIR GARZA: Okay, so we have a
37 motion before us to modify it to a daily harvest limit of
38 up to 20 fish per household. This is for 3A, 3B, 3C.

39
40 CHAIRMAN THOMAS: Question.

41
42 VICE-CHAIR GARZA: Okay, we're on Council.
43 So -- Marilyn.

44
45 MS. WILSON: I want to just make a real
46 quick comment. I just want to thank Jolene for her
47 comments to us and we're doing the best we can and when you
48 come up and give and talk to us, that's helps us think.
49 Because on the other one, I never realized that we voted

50 for daily take and for the subsistence we voted for a year.

00270

1 So thank you, Jolene.

2

3 VICE-CHAIR GARZA: Okay.

4

5 MS. PHILLIPS: Madame Chair?

6

7 VICE-CHAIR GARZA: Patti.

8

9 MS. PHILLIPS: I'll.....

10

11 (Pause)

12

13 CHAIRMAN THOMAS: Let's not talk under our
14 breath. Let's say something or we're say it.....

15

16 VICE-CHAIR GARZA: Patti.

17

18 MS. PHILLIPS: Earlier public comments
19 stated that some local people are taking 400 to 500 sockeye
20 at a time. I believe there are a lot of people with
21 integrity that are self limiting and self regulating but
22 there is always a portion of our population that is not.
23 If we have 20 fish per household at 10 days a month, that's
24 200 fish a month. And if there's 300 families then that's
25 60,000 fish. Now I'm wondering, is the systems in 3A, B
26 and C able to handle that kind of a harvest. I don't know
27 that.

28

29 But I think -- you know, I intend to support this
30 motion because it says up to 20 and so there may be an
31 instance where staff comes back and says, okay, these
32 streams just can't take it and it needs to be 10. But
33 there may be some stronger streams -- I'm not sure we can
34 do it. And then, I mean you still have that compared to,
35 you know, like -- and I just have to use Sitka as an
36 example because that's where I fished -- where you get
37 these charter boats that come in and each one is taking
38 six. They're taking as much as the subsistence people
39 would be. So it could be that to counter it next year,
40 we'll have to look at charter.

41

42 CHAIRMAN THOMAS: Madame Chair.

43

44 MS. WILSON: But let's take care of our
45 subsistence first.

46

47 VICE-CHAIR GARZA: Bill?

48

49 CHAIRMAN THOMAS: I don't think it's wise

50 for us to speculate. These are one year in duration. I

00271

1 call for the question.

2

3 VICE-CHAIR GARZA: The question has been
4 called. Were you going to say something?

5

6 UNIDENTIFIED SPEAKER: Well I can give you
7 some numbers just to give you an idea on the streams that I
8 do a.....

9

10 UNIDENTIFIED SPEAKER: The question has
11 been called.....

12

13 VICE-CHAIR GARZA: Okay, question's been
14 called.

15

16 CHAIRMAN THOMAS: Question's been called.

17

18 VICE-CHAIR GARZA: Sorry. Okay, all in
19 favor of the motion, signify by saying aye.

20

21 IN UNISON: Aye.

22

23 VICE-CHAIR GARZA: Opposed?

24

25 (No opposing responses)

26

27 VICE-CHAIR GARZA: Motion passes. Thank
28 you for bringing that back up as reconsideration Mr.
29 Martin.

30

31 CHAIRMAN THOMAS: Jolene, I want to talk to
32 you later.

33

34 VICE-CHAIR GARZA: Okay, John.

35

36 MR. LITTLEFIELD: Madame Chairman, I was
37 wondering if we could just note on this -- the comments
38 that Fred brought out -- permitting. The last part of
39 that, we didn't incorporate it by language -- specifically
40 in language but I think it's very important that the last
41 two paragraphs on Page 50 -- also that that be made aware
42 to the Federal Subsistence Board that we do have that
43 concern on that part of the motion.

44

45 MR. MARTIN: Madame Chair, I think if we
46 adopted the proposal as a whole, that includes the last two
47 paragraphs.

48

49 MR. LITTLEFIELD: If that's clear to

50 everybody.....

00272

1 MR. CLARK: As long as it's clear on record
2 that that's the intent.

3
4 MR. LITTLEFIELD: Okay.

5
6 MR. LAITI: Madame Chairperson.

7
8 VICE-CHAIR GARZA: Butch.

9
10 MR. LAITI: We adopted this for Southeast
11 too?

12
13 VICE-CHAIR GARZA: No, 3A, 3B, 3C.

14
15 MR. LAITI: Madame Chair -- yeah, the first
16 part.

17
18 VICE-CHAIR GARZA: Yeah, but not this
19 regulatory process but just allowing for subsistence coho.
20 If it passes Federal Subsistence Board then it will be an
21 option for other communities to bring a proposal their
22 particular areas or streams.

23
24 MR. LAITI: Will we need to put in the gear
25 type for the rest of Southeast?

26
27 VICE-CHAIR GARZA: That would be up to you
28 to take care of it for your area and Bert to take care of
29 it for his area as the Prince of Wales are trying to take
30 care of it for their area now. But yeah, it should.

31
32 CHAIRMAN THOMAS: The only place I can fix
33 is the silver lining.

34
35 VICE-CHAIR GARZA: It's a good place. Hey,
36 but we've got to move along you guys.

37
38 (Off record conversation)

39
40 VICE-CHAIR GARZA: Proposal 24 starting on

41 Page 59.

42
43 MR. CASIPIT: Madame Chair, Regional
44 Council.

45
46 CHAIRMAN THOMAS: Cal.

47
48 MR. CASIPIT: Oh, I'm sorry.

49

CHAIRMAN THOMAS: I'm not Madame.

00273

1 MR. CASIPIT: Oh, I didn't know it changed.
2 Mr. Chairman, excuse me. Mr. Chairman, Regional Council.
3 Proposal 24 was proposed by the Alaska Native Brotherhood
4 and Alaska Native Sisterhood Camp 9 in Klawock. It would
5 revise the sockeye harvest regulations for Klawock River.
6 Specifically Paragraph 26(i)(13)(iii) from July 7 through
7 July 31st, you may take sockeye salmon in the waters of
8 Klawock River and Klawock Lake only from 8:00 am Saturday
9 until 5:00 pm Wednesday. This basically changes the
10 sockeye fishery at Klawock Lake from a weekday fishery to a
11 weekend fishery.

12
13 The staff recommendation on this is to support the
14 proposal with modification. It would allow for fishing for
15 sockeye salmon in the fresh waters of Klawock River system
16 by Federal permit and the permit would include the
17 following provisions: from July 7 through July 31st you
18 may take sockeye, the waters of Klawock River and Klawock
19 Lake only from 8:00 am Saturday until 5:00 pm Wednesday.
20 Daily harvest limit would be 10 fish per day. Additional
21 annual harvest limit of 20 fish per household. Allowable
22 gear would be rod and reel and dipnet. Also prohibition
23 against the use of bait.

24
25 CHAIRMAN THOMAS: Questions of staff?

26
27 (No audible responses)

28
29 CHAIRMAN THOMAS: Okay hearing none,
30 Department?

31
32 MR. STOPHA: Mr. Chairman, I'm Mark Stopha
33 with Fish and Game again. The State, we concur with the
34 full draft analysis that Cal and Fred put before you. The
35 State's neutral on the proposal but does note that the
36 provision to limit households to 20 fish per household
37 could decrease the present limit. There is no annual limit
38 set by the State and some households do harvest more than
39 20 fish and will according to permits.

40
41 CHAIRMAN THOMAS: Okay I have a question.
42 This harvest limit of 10 fish per day, 20 fish per
43 household seems to be unrealistic because the populations
44 aren't there to satisfy them. If that's the case, I was
45 just wondering what the State's ambitions are for that
46 system if this doesn't approve.

47
48 MR. STOPHA: I'll let Mr. Doherty speak to
49 that.

00274

1 CHAIRMAN THOMAS: My reasons for the
2 question, I was raised out here and I'm familiar with that
3 system and I've seen it and never thought I would live to
4 see the day when the stocks would be as low as they are
5 now. I mean it looked very serious to me. And I am not
6 aware of any serious remedies that are being attempted but
7 I'm just really anxious to hear to see what the ambitions
8 are. Bill?

9
10 MR. DOHERTY: Mr. Chairman, as you just
11 stated and as most of us are aware, the Klawock system has
12 a long history of use of a commercial point of view, a
13 subsistence point of view and also in recent years, land
14 use up in the lake and head streams and the spawning
15 systems. And there's been a hatchery on the Klawock River
16 system now for probably over 20 years.

17
18 The problems with Klawock are very complicated and
19 there's no easy answer to correct them. The State has
20 worked over the years with the local advisory groups --
21 actually the proposal -- the regulation that is on the
22 books right now -- on the State books was a proposal that
23 we came up with with the Klawock/Craig Advisory Boards back
24 in the 1980s. And that restricted the sockeye harvest to
25 Mondays through Fridays and for certain hours a day and put
26 the daily bag limit in or possession for the subsistence
27 fisheries. That's one step that we took.

28
29 From a commercial fisheries point of view, although
30 the harvest pattern in the commercial fisheries is
31 documented to a certain extent based on coded wired tagged
32 sockeyes that are released from the hatchery and are
33 harvested in the commercial fisheries. In most years,
34 based on the coded wired tag information, commercial
35 harvest is in the neighborhood of 3 to 500 sockeyes in the
36 Klawock system. Due to the US/Canada treaty, the -- and
37 most of those fish were caught in the District 104 fishery.
38 Due to the US/Canada treaty since the mid 1980s, the
39 fishing time and efforts in District 104 in particular has
40 been severely reduced.

41
42 So probably from the commercial fisheries point of
43 view, there have been extra fish pass through that fishery
44 that hadn't been past in previous years. And we see a --
45 in a lot of years, an increase of harvested sockeyes in the
46 terminal area and in the Klawock area itself. There's a
47 lot of pressure on those fish and of course there's been a
48 big change in the land use of the spawning areas that those
49 sockeyes go to at the head of Klawock Lake.

00275

1 What they're doing is now -- and we're working with
2 the Federal government now and have convened a -- I hope I
3 have the right name for it -- the Klawock Watershed
4 Council. There are members of the US Forest Service
5 involved in that. And this started just this past year.
6 We've met a couple of times. It includes members of the
7 local community. User groups, stake holders, if you will.
8 It includes representation from the hatcheries and from the
9 State folks, the fishers, biologists and limnologists to
10 study the lake. What the end result of the Watershed
11 Council is going to be, I can't tell you at this point in
12 time. It's fairly early in its development.

13
14 We all have an end goal of stabilizing that sockeye
15 return to Klawock Lake and increasing it over the years. I
16 think, hopefully, through a combination of better
17 enhancement practices using the hatchery that's there, a
18 better identification of fish that are passing through
19 other user groups in commercial fishery and perhaps the
20 sport, although I don't think the sport fishery has much of
21 an impact. And also the terminal users in the subsistence
22 fishery in Klawock Inlet. And also in identification of
23 what changes have happened to the watershed because of the
24 land use there. Is the lake capable of what it used to be
25 before some of the land use practices happened to the lake.
26 The limnology perhaps will tell us that within a year or
27 so. So there are a number of things that we have done over
28 the years and are continuing to do to try to improve the
29 health of the Klawock Lake sockeyes.

30
31 CHAIRMAN THOMAS: Thank you, I appreciate
32 all that. I wasn't aware of any of that. In terms of
33 competitive predatory species, does that exist in that
34 system?

35
36 MR. DOHERTY: Mr. Chairman, one of the -- I
37 don't want to get too far on a limb here -- one of the
38 hatchery practices that has changed over the years is the
39 increase in cohos that the hatchery was putting into the
40 lake. And, again, it's not well documented but it's
41 perhaps one of the pieces of the puzzle. Again, I don't
42 think there's any one piece that's going to solve the
43 problem for Klawock Lake but perhaps the reduction of coho
44 and coho frye in the lake -- which is now being practiced
45 over the last several years -- will reduce some of the
46 predation in the lake by coho and coho frye on sockeye
47 frye.

48
49 And again, we are looking -- as this watershed

50 council develops the research that's needed to look at the

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1 lake, those are one of the things that we'd be looking at.
2 The hatchery practices, both past and for future
3 recommendations.

4
5 CHAIRMAN THOMAS: Has this been a practice
6 of the hatchery to do a sockeye enhancement?

7
8 MR. DOHERTY: Mr. Chairman, the hatchery
9 has again a fairly long history. It's been there since the
10 early 1980s. The original production goal for the hatchery
11 was fall chum salmon. And the State of Alaska ran that at
12 the time under the FRED Division. The FRED Division is --
13 the State of Alaska no longer runs the hatchery. It's now
14 run by the Prince of Wales Hatchery Association. It's gone
15 through a couple of changes in ownership and they are a bit
16 struck for money, if you will. And also -- so their
17 ability to do directed sockeye and large scale sockeye
18 enhancement is a little bit strapped.

19
20 Sockeye enhancement of a hatchery is not an easy
21 thing. It's not like chums. Chums and pinks in the
22 hatchery are much easier than sockeye. But we are
23 attempting through the hatchery and the hatchery is looking
24 at other means of funding -- Federal funding or State
25 funding -- to increase their enhancement of the sockeyes
26 coming back to Klawock Lake. And again, that's one of the
27 things that we'll continue to look at to improve that
28 hatchery management practices on the lake to see if they
29 can in fact bolster the run up to a better level to get
30 more fish into the lake for natural spawning and also to
31 maintain the run at the hatchery site itself.

32
33 CHAIRMAN THOMAS: Thank you. I have an
34 observation and it's only an observation. That the
35 strength of the system was really good prior to the
36 building of the hatchery and prior to use of lakes on the
37 weir. I'm wondering what would happen if they made a hotel
38 out of the hatchery and got rid of the weir.

39
40 MR. DOHERTY: Well, again Mr. Chairman,
41 there's a lot of pieces to the Klawock Lake puzzle and I'm
42 not sure that the hatchery is the cause of the decline of
43 sockeyes to Klawock Lake.

44
45 CHAIRMAN THOMAS: Yeah, like I said, but
46 it's only an observation.....

47
48 MR. DOHERTY: I understand.

49

CHAIRMAN THOMAS:and probably

00277

1 coincidence.

2

3 MR. DOHERTY: Well, it may or may not be.
4 I don't want to say it is a coincidence. A lot of people
5 have expressed those concerns over the years. And again,
6 as this hatchery has evolved -- as its goal has evolved and
7 it's gone through different ownerships, things change at
8 that hatchery and it just has not -- it certainly hasn't
9 done, in terms of sockeye enhancement, what they had hoped
10 for when they switched the hatchery for fall chum and
11 cohos. Because they do do cohos at the hatchery also. But
12 they just haven't had the success that they want at the
13 hatchery for enhancement of sockeyes.

14

15 CHAIRMAN THOMAS: Back to my first
16 question, it really looks dismal. I mean, at its best for
17 the last, I'll say what -- five years? It's really dismal
18 in terms of population even returning to the system, let
19 alone the meager escapement. And I'm wondering does the
20 Department have a contingency or something to kind of ward
21 off a total extinction of sockeye from that system?

22

23 MR. DOHERTY: Mr. Chairman, this year is a
24 little bit of a -- although we've heard comments that there
25 were not a lot of sockeye available in Klawock this year --
26 through the winter we did count approximately 10,000
27 sockeyes. So the escapement this year was up significantly
28 than what we're seeing over the past two or three years.
29 We've had escapements in the mid 1990s -- and I don't have
30 all the yearly figures in front of me, but they're
31 certainly available -- escapements into the lake and into
32 the hatchery were about 2,500 to 3,500. Very low numbers,
33 certainly cause for concern. But as the -- perhaps as the
34 hatchery practices have improved over the past couple of
35 years, maybe we are starting to see a little bit of
36 improving in the survival of the sockeyes returning to the
37 facility.

38

39 This year of a little bit larger return to the
40 lake, it might be a spike that wasn't -- it may go down
41 next year also. You know your natural survivability is
42 something that you can't account for. But we're certainly
43 looking at the system and we do have concerns and, you
44 know, again the regulation that you see in the book right
45 now on the time that's open, just during the month of July
46 and only five days a week, was one of the steps along the
47 way that we've tried to address conservation of the
48 Klawock. Now, looking at that management plan over the
49 years, we do get a call from the Klawock -- it's usually

50 through the mayor of Klawock -- indicating that perhaps in

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1 that year not enough sockeyes were harvested by the local
2 folks and asking for an extension on the Board of Fish and
3 Management plan.

4
5 In some years when we feel that that particular
6 year can withstand a little bit larger harvest, we've
7 extended the fisheries into the month of August for 10 days
8 or 11 days. Last year they called and they asked for an
9 extension on the fisheries and we did not grant that
10 because at that time, the numbers of fish being passed
11 through the weir simply did not indicate that we could put
12 any extra pressure on those fish from the terminal point of
13 view.

14
15 CHAIRMAN THOMAS: I really appreciate that
16 because the numbers you gave me are more encouraging than
17 I've heard not from -- I have to admit they weren't real
18 reliable sources but I prefer to get my information from
19 there because it gives me something to whine about.

20
21 MR. DOHERTY: Sure.

22
23 CHAIRMAN THOMAS: But thank you for that
24 and I'm really concerned about that system and I would like
25 to see it make a turnaround as well I'm sure you and your
26 department would as well. So what I guess we could do is
27 just kind of hold the question and do some cooperative
28 management here and see how well we do.

29
30 MR. DOHERTY: Mr. Chairman, I'll make a
31 note that as the Klawock Watershed Council meets and comes
32 up with recommendations -- and they came up with at the
33 first meeting to -- they had come up with I think four or
34 five recommendations for future actions on that. I can't
35 remember those off the top of my head but you can imagine,
36 you know, look at the commercial fisheries, look at the
37 terminal harvest, look at the land use practices, look at
38 the hatchery. And I'll try and keep you informed of that
39 Council when it goes forward and any recommendations and
40 actions that they take.

41
42 CHAIRMAN THOMAS: Appreciate that. Thank
43 you very much.

44
45 MR. LITTLEFIELD: Mr. Chairman?

46
47 CHAIRMAN THOMAS: John.

48
49 MR. LITTLEFIELD: I had a question and it

50 was concerning the lake itself, whether it was given any

00279

1 help on enhancement from either a Federal or State -- you
2 know, by fertilizing or some other method similar to
3 Redoubt Lake that the Forest Service did? Any of that
4 happening?

5
6 MR. STOPHA: Mr. Chairman, Mr. Littlefield.
7 At this time there is no enhancement beyond the hatchery
8 taking eggs and releasing them into the lake. The hatchery
9 in the last year or so is now taking the frye from the
10 hatchery, placing them into net pens in the lake and
11 starting to feed the sockeye smolt so when they leave
12 they're a little bit bigger size and perhaps a little bit
13 healthier. We are, through this Klawock Watershed Council,
14 are starting a preliminary limnology studies on the lake to
15 look at nutrient levels in the lake. And if -- we did look
16 at that much earlier when we started these lakes
17 fertilization programs and I think there was a problem
18 using fertilization -- the fertilization process in the
19 lake because I think it's the water source for the town and
20 there was some problems there. But we are looking at the
21 limnology of the lake to see whether the nutrients in the
22 lake is a limiting factor for sockeyes.

23
24 CHAIRMAN THOMAS: Mike, do you want to
25 follow him up -- okay.

26
27 MR. LITTLEFIELD: And follow-up is, have
28 you applied or were you aware of these Federal subsistence
29 fisheries projects -- the money that's available. I know
30 you -- the Department has desire.

31
32 MR. DOHERTY: Yes.

33
34 MR. LITTLEFIELD: Have they looked at it
35 for the Klawock Lake system?

36
37 MR. DOHERTY: Yeah, we already have funding
38 and have a starter project this year.....

39
40 MR. STOPHA: Mr. Chairman, that is an
41 ongoing project that started this past summer with
42 cooperation of the Forest Service and the Department hired
43 someone to start to monitor the subsistence harvest in
44 Klawock Inlet itself and try to get a better handle on
45 exactly the amount of fish that are being harvested at this
46 time.

47
48 CHAIRMAN THOMAS: Thank you. Mike?

49

MR. DOUVILLE: It's my understanding that

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1 this is the first year that we've seen a return from the
2 enhancement on sockeye in the hatchery, is that fair?

3
4 MR. DOHERTY: Mr. Chairman, no, the
5 hatchery enhancement group been going on for more than just
6 this cycle. We're probably into the third or fourth year
7 of returns from enhanced fish. I don't have the exact year
8 when sockeye enhancement started; but they spend, depending
9 on the size of the fish when they come back, approximately
10 two to three years out in the saltwater. So, the
11 enhancement at the hatchery for sockeyes was going on a
12 little bit longer than this year being the first return.
13 This may be the first return, if I remember correctly, from
14 sockeye smolts that were being reared in net pens in the
15 lake and are being fed before they're released in the lake;
16 and that may be a hatchery practice that will help the
17 return in the long run.

18
19 MR. DOUVILLE: Okay, but what I understand
20 you said: the coho fry were released into the lake. I
21 believe the fry is the small one; and the smolt is the
22 bigger one, right?

23
24 MR. DOHERTY: Yeah, the fry are the ones
25 that really come out of the egg first, the smaller one.
26 The smolts would be bigger.

27
28 MR. DOUVILLE: Well, the fish that I saw
29 them release when Mr. Hatchen was running the hatchery were
30 that big; and they were taking them by the truckload and
31 pumping them into the lake.

32
33 MR. DOHERTY: Pumping. That's one mistake
34 ran them silly. Yeah, and that.....

35
36 MR. DOUVILLE: Right. And those were big,
37 aggressive fish.

38
39 MR. DOHERTY: And that's no longer a
40 practice. And, again, that may have been one of the -- you
41 know, to increase the coho run -- and it did well for the
42 coho run. You have very good coho returns to the hatchery,
43 there. They've given a lot of cohos into the commercial
44 fishery and into the local community. But, you know, to
45 increase your coho run, you may endanger your sockeye run a
46 little bit. And, again, those are things that we're
47 looking at -- past hatchery practices -- to see whether, in
48 fact, hatchery practice has hurt the sockeye returns.

49

MR. DOUVILLE: Thank you.

00281

1 MS. PHILLIPS: In your Watershed Alliance,
2 are you guys talking about habitat restoration?

3
4 MR. DOHERTY: Mr. Chairman, I think in the
5 long run that's probably going to be a discussion that will
6 be entered into and looked upon. I think right now they're
7 trying to get some real baseline data. You know, where are
8 the sockeyes? We know what their spawning streams are, but
9 we have to go into those streams and start to catalog them
10 and look at the available spawning habitat and whether some
11 of the land use practices have changed those spawning
12 areas.

13
14 MS. PHILLIPS: Uh-huh. Has the temperature
15 of the lake and the stream risen with the clear-cuts?

16
17 MR. DOHERTY: I don't know.

18
19 MS. PHILLIPS: Have you guys discussed the
20 causeway in your alliance, or whatever you call that?

21
22 MR. DOHERTY: Yeah, Ms. Chairman, and
23 that's another point. Again, this Klawock Lake problem is
24 complicated; and there's a lot of factors. And the
25 causeway, I've heard comments on myself. You know, before
26 the causeway was put there, you had a lot more water flow
27 in the inlet itself; and, perhaps, that inner bay was a
28 little bit more nutrient rich instead of more of a stagnant
29 water in there. There has certainly been speculation that
30 that did help. Now, I have not heard, and I don't know,
31 maybe through the Watershed Council, this would be
32 something for them to pursue -- to talk to DOT, perhaps, to
33 see if they can open up the causeway to get some water flow
34 through there.

35
36 MS. PHILLIPS: Is the lake open to
37 sportfishing?

38
39 MR. DOHERTY: Ms. Chairman, not for sockeye
40 fishing. I believe it's open for all other species.

41
42 MS. PHILLIPS: So, it's catch and release.

43
44 MR. DOHERTY: I'd have to defer to the
45 sport fish biologist for the regulations.

46
47 Patti: Okay.

48
49 CHAIRMAN THOMAS: Pertinent questions from

50 the Council?

00282

1 MR. STOKES: Butch looked at this -- Mister
2 Stokes. Does Stikine have a sockeye enhancement program?

3
4 MR. LAITI: Yes, they do.

5
6 MR. DOHERTY: They're pretty successful.

7
8 MR. LAITI: I just found that out.

9
10 MS. YATES: Mr. Chairman?

11
12 CHAIRMAN THOMAS: Carla?

13
14 MS. YATES: I have a few comments about the
15 Klawock Watershed Council and its efforts.

16
17 CHAIRMAN THOMAS: Okay. We'll have that
18 under public comment.

19
20 MS. YATES: Okay.

21
22 MR. KOOKESH: Mr. Chairman.

23
24 CHAIRMAN THOMAS: Floyd.

25
26 MR. KOOKESH: I'm trying to read all of
27 these documents that are spread over so many pages, and
28 what I'm seeing is that the current subsistence sockeye
29 season in the Klawock River and Lake extends from July 7th
30 through the 31st?

31
32 MR. STOPHA: That's correct.

33
34 MR. KOOKESH: And then I'm wondering: It
35 says over here, modifying the regulation as proposed may
36 exacerbate the conservation concerns already present on the
37 Klawock River system. Is that saying that it's going to be
38 hit harder? And then, before you answer us, what I'm
39 wondering: I sit here holding a document from the Federal
40 Subsistence Board, a letter delegating that he has inseason
41 regulatory authority from the Federal Subsistence Board;
42 and I'm wondering why he hasn't addressed this and say it's
43 a problem. And I'm wondering what the State is doing about
44 this. Is it not that bad of a problem? Because I'm
45 wondering if your opening up for the weekend warriors-type
46 people that you're putting a little more pressure back on
47 the system.

48
49 MR. DOHERTY: Mr. Chairman, this proposal

50 that you have in front of you would do that. But, it would

00283

1 only open the river and the lake itself. Right now, the
2 information that we have probably indicates about 95
3 percent of the sockeyes, if not more, are harvested in the
4 marine waters west of the bridge. And, again, our comments
5 here that we're neutral on this proposal because -- we're
6 not sure that those two days, Saturday and Sunday, in the
7 freshwater in the lakes -- I don't think there'd be
8 sockeyes harvested for subsistence use in the lake itself.
9 I think that just would make it difficult to catch those
10 fish, and they are probably not in the best of quality at
11 that time anyway. The harvest in the river at that time,
12 again, I would just speculate at this time that it would be
13 fairly low, but I'm not sure about that. But, that's kind
14 of why we were neutral because we thought the harvest at
15 that time, Saturday and Sunday, in the freshwater would be
16 fairly low.

17
18 UNIDENTIFIED VOICE: One of his daughters.

19
20 MS. GARZA: Mr. Chairman, I've called over
21 to Klawock, and some people there are not even aware of
22 this proposal. And, so, they're trying to call around and
23 either will call back here or try and get back to us. So,
24 I would ask that we table this proposal until the morning,
25 because I don't think that this proposal -- my gut feeling
26 is this proposal does not represent the interests of all of
27 that community.

28
29 MR. DOUVILLE: Second.

30
31 UNIDENTIFIED VOICE: Question.

32
33 CHAIRMAN THOMAS: Move to table. All those
34 in favor of tabling this motion, or this proposal, say aye.

35
36 IN UNISON: Aye.

37
38 CHAIRMAN THOMAS: Opposed?

39
40 (No opposing responses)

41
42 The ayes have it. Thank you very much. You know,
43 this is probably one of the most sensitive, intimate
44 systems we've encountered since we've been an advisory
45 council; and we really appreciate the expert information
46 that you provided for us. We know it's dependable and we
47 know you've got a long history with that system and we
48 really appreciate it. Where are you going?

49

MS. GARZA: I left my proposal book in

00284

1 there. I'll be right back.

2

3 CHAIRMAN THOMAS: So, are you open for
4 proposals now?

5

6 MS. GARZA: Huh?

7

8 CHAIRMAN THOMAS: Are you open for
9 proposals now? For 35? Where are we, Mister Staff Man?

10

11 MR. CLARK: Thirty-five.

12

13 MR. LITTLEFIELD: A motion to adopt,
14 Mr. Chairman.

15

16 CHAIRMAN THOMAS: Move to adopt?

17

18 MR. KOOKESH: Second.

19

20 CHAIRMAN THOMAS: Second? You're talking
21 35 now?

22

23 MR. LITTLEFIELD: Yes, Mr. Chairman.

24

25 CHAIRMAN THOMAS: Now, we need a staff
26 analysis?

27

28 MR. CLARK: I was just about to do that.

29

30 CHAIRMAN THOMAS: That's how we work, down
31 the line. Let's put it on the line, guys. I mean, I'm
32 sorry, but not that tired.

33

34 MR. CASIPIT: Proposal 35 was submitted by
35 Michael Douville, Regional Advisory Council member from
36 Craig. Generally, it would close the Sarkar system above
37 the bridge -- the use of nets for subsistence fishing.
38 Later clarification by the proponent indicated that his
39 intent was to close the entire freshwater system at Sarkar
40 to fishing with nets. Sockeye salmon is the primary target
41 of this proposal, but the proposal is intended to apply to
42 all fish. Our draft staff recommendation at this point is
43 to oppose the proposal. It restricts the opportunity to
44 harvest fish in that system.

45

46 CHAIRMAN THOMAS: Okay, any questions of
47 staff?

48

49 MS. PHILLIPS: I do.

00285

1 CHAIRMAN THOMAS: Patti?

2

3 MS. PHILLIPS: How many miles is the river
4 or the lake?

5

6 CHAIRMAN THOMAS: What's the distance we're
7 talking about?

8

9

10 MR. DOUVILLE: The length of the creek into
11 the first lake is like a 100 yards, or maybe a little
12 longer. It's very short.

13

14 MS. PHILLIPS: So that's the distance you
15 want to close the net?

16

17 CHAIRMAN THOMAS: What was the question?

18

19 MR. DOUVILLE: Traditionally, all the
20 fishing's been done at the mouth of the creek and below in
21 the saltwater. However, in past years, it's become more
22 popular to launch your boat because the road goes right by
23 the lake, into the lake; and fish on the fish that are
24 gathered up at the head end of the lake and in the creek
25 that feeds the lake, named Sockeye. No, I don't how big
26 the lake is.

27

28 CHAIRMAN THOMAS: Okay. Further questions?

29

30 (No audible responses)

31

32 Okay. That takes us into other agency comments?

33

34 MR. STOPHA: Mr. Chairman, the State
35 concurs with the draft analysis of the Federal government
36 and has no further comment on this.

37

38 CHAIRMAN THOMAS: Okay. Summary of written
39 comments?

40

41 MR. CLARK: Mr. Chairman, the Southeast
42 Alaska Fisherman's Alliance says that Alaska Department of
43 Fish & Game does not have any evidence that there are
44 conservation concerns with this system and that most of the
45 harvest has occurred in marine waters outside of Federal
46 jurisdiction. The Edna Bay Fish and Game Advisory
47 Committee voted to support the proposal, with one member
48 abstaining in favor of the proposal. The Eastern Prince of
49 Wales Fish and Game Advisory Committee voted to support the

50 proposal. They are concerned with the current level of

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1 sockeye take from Sarkar and view system as being
2 overharvested. In the spring of 2000, the Eastern Prince
3 of Wales Advisory Committee proposed to the State Board of
4 Fisheries to limit the subsistence take at Sarkar and was
5 opposed. That concludes the public comments.

6
7 CHAIRMAN THOMAS: Okay. Public comments.
8 Did the public go home?

9
10 MR. DOUVILLE: I have a comment here.

11
12 CHAIRMAN THOMAS. Okay, wait a minute.
13 We're going to be coming to Council pretty soon. Okay,
14 Mike's got a comment. Go ahead, Mike.

15
16 MR. DOUVILLE: Okay, it would seem
17 interesting that I'm making a proposal to catch cohos; and,
18 then, on the other hand I'm trying to close the system
19 down, or at least a portion of it. But, anyway, this
20 proposal's been made because there is a concern that
21 fishing in the lake has reduced the number of fish that
22 escape to spawn. I might add that this is not my personal
23 proposal. A couple of people that came to me that are
24 concerned. One is Celia Roberts, she now lives in Klawock;
25 and a couple of people from Craig. So, I was prompted to
26 make this proposal.

27
28 Some subsistence users are seeing fewer fish than
29 in the past and believe that this must be stopped. We do
30 know that fishing was never allowed above the mouth of the
31 creek during the stream guard days. In the past, in the
32 50's, there was a stream guard that anchored right there
33 and kind of monitored this particular area. But, only
34 since road access to the lake, has this practice become
35 popular. As the gain in popularity increases, the less
36 escapement we will have. Bear in mind that the fish
37 gathered at the head end of the lake and in the creek that
38 feeds the lake are trapped like sitting ducks and very
39 easily caught.

40
41 The Sakar run fish are small fish in nature. They
42 are only like 4 or 5-pound fish, or even smaller than that.

43
44 CHAIRMAN THOMAS: Two. Two or three
45 pounds.

46
47 MR. DOUVILLE: And, when caught in a net,
48 most gill, making a release of fish in excess of what is
49 permitted difficult to release alive. While this proposal

50 may seem restrictive, it really is not. Traditional users

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1 can still catch their fish in the bay as in the past. This
2 would only be a minor inconvenience for some. The benefit
3 for all would be enhanced by this small measure of
4 conservation.

5
6 There's a couple of things that I can tell you
7 about fishing up there. One friend of mine went up there
8 and stretched a beach seine across the creek -- it's real
9 small -- and then walked up the creek and chased the fish
10 down, you know; and they caught over 200. Most of them
11 were gillers, so they couldn't release them. And my
12 brother even caught more than that making a round haul down
13 below. I do know that whenever people catch more than they
14 are permitted for, they never write that down on the
15 permit. I bet you've never had a permit returned that
16 said: Well, we caught 300; but we only had a permit for
17 35, or 30. But, in any case, that's all I have to say.

18
19 CHAIRMAN THOMAS: Well, for your
20 information, I'm the only one. I accurately record my
21 catches. Okay, so what the wish of the Council --

22
23 MR. LITTLEFIELD: Motion to adopt.

24
25 CHAIRMAN THOMAS: Move to adopt. Second?

26
27 MR. MARTIN: Second that motion.

28
29 CHAIRMAN THOMAS: Moved and second.
30 Discussion. Fred. Cal.

31
32 MR. CASIPIT: We have a suggestion, also,
33 to increase inseason monitoring in that system if the
34 Council would care to include that in their recommendation.

35
36 CHAIRMAN THOMAS: Is that the kind of a
37 negative reflection for a user community, or what?

38
39 MR. CASIPIT: Okay, but.....

40
41 CHAIRMAN THOMAS: We'll take that under
42 advisement. Thank you very much. I'm going to speak in
43 favor of the proposal. I'm very familiar with that system.
44 You know, we talk about different effects that land use has
45 on different systems. Whenever you take and do road
46 construction, logging, anything like that through a system;
47 you're changing that system. There's just no way to avoid
48 that. And, those of you that are familiar with the bridge
49 at Sarkar, you know, it's bad. It's like going to a

50 five-and-dime store with their little nets and taking them

00288

1 out of the bowl. That's serious. That's not good
2 management. And, so, to confine harvesting with nets needs
3 to be restrictive to saltwater. At least the seines.
4 Maybe dipnets, that's another thing. But, gillnets and
5 seines should not be allowed in freshwater.

6
7 Any more discussion on the proposal? The motion is
8 to adopt.

9
10 MR. MARTIN: Question.

11
12 CHAIRMAN THOMAS: The question has been
13 called. All those in favor, say aye.

14
15 IN UNISON: Aye.

16
17 CHAIRMAN THOMAS: Those opposed?

18
19 (No opposing responses)

20
21 CHAIRMAN THOMAS: Motion carries.

22
23 MR. CLARK: The next proposal on the agenda
24 is Proposal 26.

25
26 CHAIRMAN THOMAS: We're going to take a
27 three-minute break.

28
29 MR. CLARK: Okay.

30
31 CHAIRMAN THOMAS: I'm stressed out. I'm
32 burnt out.

33
34 (Off record)

35
36 (On record)

37
38 CHAIRMAN THOMAS: Okay, we're now going to
39 institute ANB Rules. If you don't identify yourself when
40 you speak, you'll be fined \$15 each time. So, the recorder
41 needs to know who you are. Okay, Mister Introducer.

42
43 MR. CASIPIT: Thank you, Mr. Chairman. My
44 name is Calvin Casipit. I'm the subsistence staff
45 fisheries biologist for the Forest Service in the Regional
46 Office. Proposal 26 was submitted by Mr. Dick Stokes of
47 Wrangell, current Regional Advisory council member. His
48 proposal is to increase the bag limit for sockeye salmon at
49 Salmon Bay Lakes on northern Prince of Wales Island from 10

50 to 50, and to extend the season two weeks, to August 15th,

00289

1 for Federally qualified subsistence users. The proposed
2 regulation is displayed there for you on page 77. I guess
3 I'll cut to the chase on the staff recommendation, but I'm
4 going to have to give a little explanation at the end.

5
6 Our staff recommendation at this point is to
7 support the proposal of modification. We would establish a
8 daily and season harvest limit of 30 sockeye at this system
9 -- the Salmon Lake, Salmon Creek system. We would not
10 lengthen the season; and we would recommend an inseason
11 monitoring problem. The first justification: We feel it's
12 unwise to lengthen the season to August 15th. Basically,
13 the run during that period of time between August 1st and
14 August 15th is mostly females. We wanted to try to protect
15 females in that segment of the run. That's the reason we
16 have not included the season extension.

17
18 The reduction in the suggested harvest limit from
19 50 to 30 was based on permit returns from the communities
20 of Petersburg and Wrangell. If you want to flip over in
21 your draft staff analysis to page 85, it shows the numbers
22 of sockeye reported per permit; and, if you notice there,
23 that the most amount of fish that have been reported on
24 those permits are 30, and most of them are 10, which
25 happens to coincide with the existing daily limit.

26
27 Also, we feel that the inseason monitoring program
28 is a critical part of our recommendation. The Thorne Bay
29 Ranger District does have conservation concerns for this
30 system. And that concludes our staff analysis.

31
32 CHAIRMAN THOMAS: Any questions for staff?
33 Thank you, mister introducer. Department?

34
35 MR. STOPHA: I'm Mark Stopha with Fish and
36 Game. The Department essentially concurs with Cal's
37 comments in the draft analysis laid out before you here.
38 Our only concern is that we would only like to see this
39 thing go in place if we had an inseason stock assessment
40 program in place at the same time. If we didn't, we would
41 oppose it.

42
43 CHAIRMAN THOMAS: Explain that.

44
45 MR. STOPHA: We feel like we need inseason
46 data for this system on site so that we can analyze both
47 the harvest and the escapement there to ensure that the
48 escapement needs were met at these levels of harvest.

49

CHAIRMAN THOMAS: Okay. Questions for the

00290

1 Department? Floyd?

2

3 MR. KOOKESH: Mr. Chairman, one of the
4 concerns I always seem to see, too, is concerns about
5 harvest monitoring and stock assessment. We keep bringing
6 that up, but is it going to be done?

7

8 MR. STOPHA: We have a proposal in to the
9 Federal government for this system, yes; and we have it for
10 several systems that we are -- I don't think we're going to
11 go over, or did you guys already do that? I can't
12 remember. But, we do have several of these for several use
13 systems; and we're in the process now of -- the ones that
14 we already have funding -- of getting those projects off
15 the ground.

16

17 MR. KOOKESH: Not having had the
18 opportunity to totally review these document in front of us
19 because it was just given to us yesterday morning, and not
20 having been able to thoroughly absorb all your material, do
21 you support the staff recommendation?

22

23 MR. STOPHA: Yeah, we pretty much concur
24 with theirs. We just stress the need for the inseason
25 monitoring program, particularly on this system.

26

27 MR. KOOKESH: Inseason monitoring.

28

29 CHAIRMAN THOMAS: John.

30

31 MR. LITTLEFIELD: Question: Who were the
32 permit holders, here? I looked at your graph on page 84.
33 There's approximately 60 permits the last four years or so.
34 Who are those permit holders, and where are they from?
35 What communities, mostly?

36

37 MR. BERGMANN: Mr. Chairman, William
38 Bergmann. Most of them are from Petersburg and Wrangell.

39

40 CHAIRMAN THOMAS: Okay. Further questions?
41 Dolly?

42

43 MS. GARZA: I guess I must have been
44 flipping pages. But, Cal, could you summarize again what
45 the staff recommendations were? I'm on page 89, but I
46 don't really see it. Okay, first of all, it says here that
47 it was a different named lake than Virginia Lake; and, so,
48 what happened?

49

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1 MR. CASIPIT: Mr. Chairman, our executive
2 summary for this proposal appears on page 77. Our
3 recommendation is establish a daily and season harvest
4 limit of 30 sockeye. We would not lengthen the season and,
5 also, we're recommending that inseason monitoring program.

6
7 MR. CLARK: Mr. Chairman.

8
9 CHAIRMAN THOMAS: Fred.

10
11 MR. CLARK: Just a point of clarification:
12 I'm sorry, I had it marked in my other book, but I grabbed
13 a different book accidentally but, if you look at the map
14 on page 81 to this proposal, it has Salmon Bay Lake in the
15 wrong location, a different island. It's one of those
16 mirages, you know?

17
18 (Multiple voices simultaneously)

19
20 MS. GARZA: Okay, so, on page 78 I see the
21 proposal, which is Proposal 26, Salmon Bay Lake, 50 per
22 season, then there's a draft analysis, there's a map,
23 there's escapement, harvest information, couple of graphs
24 on 85, literature citing on 87. I think there might be a
25 mix-up. And, then, I go to Proposal 28, so what I am
26 missing in my packet is the staff recommendations.

27
28 MR. CLARK: Do you have page 77, Dolly?

29
30 CHAIRMAN THOMAS: Page 77, staff
31 recommendations. Support the proposal of modifications.
32 Establish a daily and season harvest limit of 30 sockeyes
33 for Salmon Lake and Salmon Creek systems.

34
35 MS. GARZA: Okay, I got it. I got it. I
36 was going backwards.

37
38 CHAIRMAN THOMAS: Do not lengthen the
39 season. Also recommend an inseason monitoring program.

40
41 Further questions to staff?

42
43 MR. LAITI: Mr. Chairman.

44
45 CHAIRMAN THOMAS: Butch.

46
47 MR. LAITI: Do they have an active
48 commercial fisheries target (indiscernible)

49

MR. BERGMANN: Mr. Chairman, the commercial

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1 fisheries are -- first of all, we need to clarify about
2 where Salmon Bay is. If you look at that map on page 80,
3 where it says Proposal 26, the island that Salmon Bay Lake
4 is showing at is Zarembo Island. If you down and to the
5 left, that very corner is where Salmon Bay Lake is, the
6 largest of the black lakes there on the northeast tip of
7 Prince of Wales.

8
9 Around Salmon Bay we have a mile closure, except
10 during sockeye season and then, we expand that area out so
11 it becomes an area of about a two-mile closure to gillnet
12 fisheries. The gillnet fishery takes place about Point
13 Baker in the Sumner Strait down into Clarence Strait by
14 Coffman Cove.

15
16 MR. LAITI: Do your gillnet fisherman get
17 to go in there and get (indiscernible)

18
19 MR. BERGMANN: Right now, Mr. Chairman, any
20 Alaska resident is given a personal use permit.

21
22 MR. LAITI: People at Point Baker that
23 fish, and, also, go in there and get their sockeyes, too?

24
25 MR. BERGMANN: Mr. Chairman, correct.
26 There is another subsistence area out at Point Baker, right
27 in front of Point Baker for several miles on either side.
28 The Board of Fish designed that area specifically for
29 residents of Point Baker. Before that, they were going
30 down to Shipley Bay; and few of them were going to Salmon
31 Bay. But, they wanted to fish right in front of town and,
32 generally, it was small skiffs; so that was created for
33 them.

34
35 MR. LAITI: Do you have escapement numbers
36 for this year?

37
38 MR. BERGMANN: For this year, Mr. Chairman,
39 the escapement surveys that we did -- because of high
40 water, we didn't get real good surveys. The peak count I
41 got in the combined two-head systems at Salmon Bay was
42 about 2,600 fish; and, if you want to compare that, it's
43 not really comparable; but, on page 81, you see other
44 escapement surveys that have been done during past years.

45
46 CHAIRMAN THOMAS: Harold?

47
48 MR. MARTIN: Mr. Bergmann, who are the
49 permit holders from Petersburg and Wrangell?

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1 MR. BERGMANN: We don't identify permit
2 holders from Petersburg and Wrangell by any means. It's a
3 person that has an address in Petersburg or has an address
4 in Wrangell.

5
6 MR. MARTIN: Are they predominately
7 natives?

8
9 MR. BERGMANN: I would say, and I would be
10 guessing, Mr. Martin, that in Petersburg, where about 10
11 percent of the population is native, I would say there's a
12 larger portion than that 10 percent of the population from
13 Petersburg. In Wrangell, where the native population is
14 higher, I would say it's possibly fairly comparable; but, I
15 think the native people -- the ones I know in Petersburg --
16 tend to be more natives that go to Salmon Bay, I think.

17
18 MR. MARTIN: Then there's very few, very
19 few people.

20
21 MR. BERGMANN: Right.

22
23 MR. MARTIN: I'm just bringing up a point,
24 because it's been my experience that Petersburg is very
25 anti-subsistence.

26
27 MR. BERGMANN: Mr. Chairman, at the last --
28 at the customary traditional hearings, Petersburg opposed
29 being part of the subsistence -- or customary and
30 traditional use.

31
32 MS. GARZA: Is that the one in '89?

33
34 CHAIRMAN THOMAS: (Indiscernible -
35 simultaneous speech) personal use, in any case. Isn't that
36 true?

37
38 MR. BERGMANN: It's Salmon Bay. It would
39 be the subsistence permit for an Alaskan resident.

40
41 CHAIRMAN THOMAS: Okay. Patti.

42
43 MS. PHILLIPS: You were saying 2000 or 2600
44 escapement. But, then, it shows in here that there's an
45 average of 9,142 over the past 20 years?

46
47 MR. BERGMANN: Mr. Chairman, what I was
48 trying also to say is that peak escapement was -- usually
49 when my crews go in there and conduct the peak escapement,

50 it's from quick surveys sometime around the 10th to the

00294

1 15th of September, during the peak surveys. They were
2 unable to get good surveys during low water, and those
3 counts aren't very accurate. I made a count of 2600
4 earlier than that, when I could see fish schooling off the
5 mouth. When I say schooling off the mouth, I mean off the
6 mouth of the lake system -- not out in saltwater, but
7 actually up in the lake. And what you see is a minimal
8 amount of fish, because you see a large school of fish and,
9 then, they peel off into the lake and you can't see them.
10 You don't know how much larger they are than that.

11
12 MS. PHILLIPS: So, do you know what kind of
13 escapement you want to maintain you want to maintain that
14 population?

15
16 MR. BERGMANN: Mr. Chairman, we've had
17 escapements up to 35,000 rear count. That's a large
18 number. There are two head systems in there. If we had
19 peak foot surveys somewhere in the 3,000 to 4,000 range in
20 each one of those systems, that would be good escapements
21 for a peak survey.

22
23 MS. PHILLIPS: So, what you mean by head
24 systems is there's two stocks that come in there?

25
26 MR. BERGMANN: There may be two stocks, but
27 we don't know. They spawn at the same time, so I doubt it.
28 But, the head streams are fairly close together, and we fly
29 in in a plane and land and try and walk both systems at the
30 same time.

31
32 MS. PHILLIPS: Thank you for answering
33 that. Okay, yesterday we heard that a stock might peak in
34 June, peak in July, peak in August. When does this stock
35 peak?

36
37 MR. BERGMANN: Mr. Chairman, the stock
38 doesn't seem to have -- it might have several peaks going
39 through our weirs, when we used to have weirs in there for
40 about 5 years; but we found that it's mostly related to
41 water levels. The fish hang out in the upper inner tidal;
42 and, then starting in sometime of early June to mid-August,
43 you see runs of fish going through there. But, there
44 doesn't seem to be any consistency, except that it's
45 related to water level.

46
47 MS. PHILLIPS: Thank you.

48
49 CHAIRMAN THOMAS: How far is the lake from

50 saltwater?

00295

1 MR. BERGMANN: It's about 3 miles,
2 possibly, maybe a little less than that. Two miles, maybe.

3
4 CHAIRMAN THOMAS: The reason for my
5 question is: Typically, all the fish used from this system
6 are caught in saltwater. Is that correct?

7
8 MR. BERGMANN: Yes, Mr. Chairman.

9
10 CHAIRMAN THOMAS: Okay, so that pretty much
11 removes it then from Federal jurisdiction; so, I'm
12 wondering what influence we would have in this case because
13 we have no jurisdiction in saltwater. Who are you pointing
14 at?

15
16 MR. KOOKESH: The Chairman.

17
18 CHAIRMAN THOMAS: Oh, okay.

19
20 MR. KOOKESH: That's what I was going to
21 read too, here, because I was seeing the same thing you
22 were seeing that says the vast majority of the subsistence
23 harvest comes from marine waters of Salmon Bay, which is
24 outside Federal subsistence fisheries jurisdiction. So,
25 let's raise the limit. That's page 83.

26
27 CHAIRMAN THOMAS: Dolly.

28
29 MS. GARZA: Butch was first. Go ahead.

30
31 CHAIRMAN THOMAS: Butch.

32
33 MR. LAITI: Is there any personal fishing
34 inside the fresh water.

35
36 MR. BERGMANN: Mr. Chairman, I would like
37 to defer to the sportfisher's agent on that. Are you
38 talking about sportfishing?

39
40 MR. LAITI: No, on personal (indiscernible)

41
42 MR. BERGMANN: There is very little of
43 personal use subsistence fishing in freshwater. Was that
44 your question?

45
46 MR. LAITI: That 10 fish? Is that 10 fish
47 per household?

48
49 MR. BERGMANN: It's 10 fish per household

50 or for permit, per day.

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1 CHAIRMAN THOMAS: Dolly?

2

3 MS. GARZA: I guess I want to ask Dick.

4 So, if the majority of the subsistence fish are taken in
5 marine waters, then what benefit do you see out of passing
6 this proposal, if the proposal will only affect freshwater
7 fishing?

8

9 MR. STOKES: They do fish in the lagoon
10 where the saltwater catch -- but, above it, where the
11 saltwater doesn't reach -- it's not in the lake, but it's
12 in freshwater. But, I don't know whether that would apply
13 to us. And my reason for wanting to get 50 fish, that was
14 annually. And, you know, other areas can get it, like
15 Haines. Don't you get 50 fish up there?

16

17 UNIDENTIFIED VOICE: Uh-huh (affirmative).

18

19 MR. STOKES: Other places have it. And we,
20 with the price of fuel now over \$2.25 a gallon, and it
21 takes, you know, a good 60 gallons to make a round trip. I
22 wanted to just go out and spend one weekend, or overnight,
23 and get all my fish and do not have to worry about it.
24 That water out there could be nice one day and terrible the
25 next. And, as far as monitoring: The Department of Fish
26 and Game has a float house anchored right in Salmon Bay.
27 They're there. So, I don't see what else they would have
28 to do. I wasn't aware that mostly females were coming in
29 after July 31st. I just thought sockeyes were sockeyes, so
30 that's why I requested the extension.

31

32 MR. BERGMANN: Mr. Chairman?

33

34 CHAIRMAN THOMAS: Yes.

35

36 MR. BERGMANN: I don't want to give the
37 impression to Mr. Thomas that, you know, the vast majority
38 of the fish that come in late in the season are females.
39 It's just that we've seen over the years that the males --
40 as you've probably seen when you enter the stream -- the
41 males tend to come in first. They are sort of the
42 sacrificial lambs, or the bear food, and the first people
43 that want to get their subsistence -- like that. And the
44 females tend to come in a little bit later. You were
45 asking, and maybe I'm going to get rapped on my head from
46 my higher-ups, but you were asking: What is the use of
47 putting these proposals in, if you have no effect in the
48 marine waters? Well, I believe the Department's viewpoint
49 is that we want to have complimentary regulations, as much

50 as possible, to what you propose and what has passed. I

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1 would anticipate that if you pass a proposal that we are
2 not opposed to that we would certainly alter our
3 regulations and see how things progress with it. If the
4 catch turns out to be much larger than the system would
5 handle, we'd of course have to have some sort of
6 conservation. There would be a conservation problem. We
7 would change that or do something by emergency order.

8
9 CHAIRMAN THOMAS: We would appreciate that.
10 That's our driving force, is conservation. And thanks for
11 the clarification and assurance, because that really gets
12 us out of some deep water if back up the road it gets thin
13 again. Right, Ms. Dolly?

14
15 MS. GARZA: Yeah.

16
17 MR. STOKES: Mr. Chairman, this year we
18 were unable to get out to Salmon Bay. The weather was
19 nasty, foggy. We couldn't get out.

20
21 CHAIRMAN THOMAS: Okay, I think it's pretty
22 much a universal understanding. I don't think we have
23 conflict in this proposal. I think it's something that we
24 can do in concert and I appreciate that. I really
25 appreciate that, because in the beginning the two different
26 philosophies were really generating storms; and I'm glad to
27 see that isn't the case anymore. I really am. Is there
28 anymore questions for the Department? Dolly?

29
30 MS. GARZA: No, not for the Department, for
31 Dick.

32
33 MR. KOOKESH: One last question, Mr.
34 Chairman.

35
36 CHAIRMAN THOMAS: Yes.

37
38 MR. KOOKESH: Does the idea of taking 50 at
39 a shot: that doesn't fall into a good conservation mode,
40 as opposed to the staff recommendation of 30?

41
42 MR. STOPHA: Yeah, I guess our -- oh, I'm
43 sorry.

44
45 CHAIRMAN THOMAS: Yeah, well, it seems to
46 me, now, if one person came and got 50, that wouldn't be a
47 concern. But, if 35 came and got 50, that's a horse of a
48 different color, I would assume.

49

MR. BERGMANN: Mr. Chairman, one of the

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1 concerns I expressed when this proposal was put forward is
2 the subsistence fishery in Salmon Bay takes place
3 predominately on the weekends. It's quite a ways from both
4 Wrangell and Petersburg and people run out there and they
5 like to get their fish on the weekends. Well, if you have
6 a 50-fish limit what happens, or what might happen, is that
7 the first people out there Friday night, and then on
8 Saturday, would get a lot of fish.

9
10 CHAIRMAN THOMAS: So, we have added
11 attraction.

12
13 MR. BERGMANN: Yeah, and then, the people
14 that ended up being there Saturday night or Sunday night
15 get very few fish because the fish, you know, come and
16 they're there; and then, when it rains, they're gone. And
17 then there's so more fish in another week. So, it might
18 create more hardship, and that's one of the things, besides
19 the potential for a conservation concern.

20
21 CHAIRMAN THOMAS: Does the number 30, does
22 that sound more manageable?

23
24 MR. BERGMANN: That does, Mr. Chairman.

25
26 MR. STOPHA: I have a question because I
27 don't go up there. Mr. Stokes might know better. But, it
28 seems to me if you only have -- I believe this is just for
29 a dipnet, is it not?

30
31 MR. BERGMANN: No. Most of them are taken
32 by gillnet.

33
34 MR. STOKES: Well, I can understand, you
35 know, the situation. I wouldn't have any problem with
36 moving it down.

37
38 CHAIRMAN THOMAS: We're looking at 30
39 (indiscernible).

40
41 MR. STOKES: Okay.

42
43 MS. GARZA: So, the question is: Dick, can
44 you live with 30 a day? One question: Can you live with?

45
46 MR. STOKES: What about hearing aids?

47
48 MS. GARZA: You're getting warm.

49

CHAIRMAN THOMAS: Can you live with 30,

00299

1 she's asking you?

2
3 MR. STOKES: Yes.

4
5 MS. GARZA: Okay, and can you live with not
6 extending the season?

7
8 CHAIRMAN THOMAS: Can you live with not
9 extending the season?

10
11 MR. STOKES: Yes.

12
13 MS. GARZA: So, do we have a motion on the
14 table?

15
16 CHAIRMAN THOMAS: We're still under process
17 here.

18
19 MR. MARTIN: Mr. Chairman.

20
21 CHAIRMAN THOMAS: Harold.

22
23 MR. MARTIN: With clarification from staff
24 where the proposal reads Salmon Bay Lake, sockeye salmon,
25 50 per season. And, when you go to page 85, under
26 concerns: it increases the catch to 50 a day without a
27 seasonal cap would likely increase -- and, then, under
28 justification, on 86, again, the increase in the take per
29 day to the requested 50 fish without a seasonal limit. Are
30 we talking about per day, or anyone, or per season?

31
32 CHAIRMAN THOMAS: Staff recommendation on
33 page 77 is to support the proposal with modification,
34 establish a daily and seasonal harvest limit of 30 sockeye
35 for Salmon Lake, Salmon Creek system. So, if you get 30
36 fish the first day, that's it for the year. If you get 10
37 fish in a day, you're allowed to fish until you get 30
38 fish. Then you got to get the heck out of there.

39
40 MR. MARTIN: Thank you.

41
42 MS. WILSON: That's 30 salmon.

43
44 CHAIRMAN THOMAS: What?

45
46 MS. WILSON: One time, 30 fish, and that's
47 it?

48
49 CHAIRMAN THOMAS: That's it. That's

50 plenty. Dick (indiscernible)

00300

1 MR. STOKES: Until next year.

2

3 MR. KOOKESH: Mr. Chairman, it also
4 recommends a inseason monitoring program.

5

6 CHAIRMAN THOMAS: That's true. Further
7 questions of the Department? Thank you very much. Other
8 agency comments? I think we got both of them in one shot.
9 Summary of written public comment, mister summary?

10

11 MR. CLARK: Mr. Chairman, in really
12 summarizing opposing comments this time, there are six
13 public comments of opposition. That includes the eastern
14 Prince of Wales comments. They've been put in the booklet
15 who else. There's five comments in opposition.

16

17 CHAIRMAN THOMAS: Okay. Public comment?
18 Regional Council deliberations, recommendation and
19 justification. What's the wish of the Council.

20

21 MS. GARZA: Mr. Chairman?

22

23 CHAIRMAN THOMAS: Dolly.

24

25 MS. GARZA: I would move to support the
26 staff recommendation of a daily inseason harvest limit of
27 30 sockeye for the Salmon Lake, Salmon Creek system, and
28 that the season not be lengthened and that we write a
29 letter of request for a monitoring program.

30

31 CHAIRMAN THOMAS: Dies for a lack of a
32 second.

33

34 (Laughter)

35

36 MR. STOKES: I second it.

37

38 CHAIRMAN THOMAS: Move to second.

39 Discussion.

40

41 MS. RUDOLPH: Question.

42

43 MS. WILSON: Unh-unh (negative).

44

45 MS. RUDOLPH: I'm sorry.

46

47 MS. WILSON: I oppose this. I think it
48 should be left at 50. We're restricting again. We could
49 have it at 50 and still monitor and, if it's too much, then

50 put it down to 30.

00301

1 CHAIRMAN THOMAS: Okay. Further
2 discussion?

3
4 MR. KOOKESH: The idea was that it fell
5 under a conservation mode?

6
7 CHAIRMAN THOMAS: Further discussion.

8
9 MR. KOOKESH: Under remarks, do not
10 lengthen the season, that that fell under remarks. And,
11 also, under remarks that there was a recommendation for and
12 inseason monitoring program. Let's keep the language
13 clear.

14
15 CHAIRMAN THOMAS: Did you wish to be
16 recognized, or are you just butting in?

17
18 MR. KOOKESH: Butting in.

19
20 CHAIRMAN THOMAS: Okay, the motion was
21 made. We're under discussion. Further discussion? Fred?

22
23 MR. CLARK: Staff brought up wondering if
24 the Council is clear on the idea that if you get your
25 subsistence fish from freshwater that it's cumulative with
26 the stuff in saltwater. You want to clarify that?

27
28 MR. CASIPIT: What it's saying right now as
29 it's written is that you can go in freshwater and get 50
30 fish. But, you can still subsistence fish in saltwater,
31 under the current State system, and get your 10 fish, but
32 that's only a possession limit, or it's a processing limit.
33 You can still get more fish, if you wanted to, in
34 saltwater, if you canned them, smoked them, or whatever,
35 that same day. So, you can still continue to get fish in
36 saltwater, too. I just wanted to clarify that.

37
38 MR. CLARK: Pete.

39
40 CHAIRMAN THOMAS: To properly take care of
41 a fish like that, they'll smoke them that same day.

42
43 MR. CASIPIT: Right.

44
45 MR. PROBASCO: Mr. Chairman.

46
47 CHAIRMAN THOMAS: Yes, sir.

48
49 MR. PROBASCO: Mr. Chair: Pete Probasco,

50 State Liaison. Both Federal and State regulations as

00302

1 recognized under the Federeal regulations are not
2 cumulative. So, in other words, under subsistence, a 20-
3 bag limit in State regulations and a 30 would make a total
4 of 50 fish.

5
6 CHAIRMAN THOMAS: So what you see is what
7 you get.

8
9 MR. PROBASCO: Exactly.

10
11 CHAIRMAN THOMAS: Thank you. Further
12 comments? Fred? The FRED Division.

13
14 MR. CLARK: The FRED division wanted to
15 make sure that the Council considered the idea that since
16 it would be a Federal regulation and Federal fisheries
17 that, perhaps, we would need a Federal permit for
18 recording. It wasn't really brought up.

19
20 CHAIRMAN THOMAS: We'll deal with the
21 incidentals as they present themselves.

22
23 MR. CLARK: Okay.

24
25 CHAIRMAN THOMAS: I'm speaking in favor. I
26 think I can't remember when we've seen a proposal that got
27 as much relaxation and everybody with the same intention of
28 providing for, with conservation. I don't remember when
29 I've seen that, and I'm really happy to see that. So, I
30 speak in favor of the staff recommendation, and I guess
31 that's emotionally stated.

32
33 Is there further discussion?

34
35 MS. WILSON: Question.

36
37 CHAIRMAN THOMAS: Question was called.

38
39 MR. CLARK: Mr. Chairman.

40
41 CHAIRMAN THOMAS: Yes.

42
43 MR. CLARK: What was the motion? The
44 motion was for 30, right?

45
46 CHAIRMAN THOMAS: That's a point of
47 inquiry. It's not a point of record.

48
49 MR. CLARK: I'm sorry. I stand corrected.

00303

1 MS. GARZA: Yes, to accept the staff
2 recommendation for 30, no season extension, inseason
3 monitoring.

4
5 MR. CLARK: Thank you.

6
7 CHAIRMAN THOMAS: Okay. Once again all
8 those in favor of the motion to adopt say aye.

9
10 IN UNISON: Aye.

11
12 CHAIRMAN THOMAS: Those opposed, say no.

13
14 (No opposing responses)

15
16 CHAIRMAN THOMAS: Dolly had an announcement
17 to make. She got a phone call that might be of some
18 interest to some people here.

19
20 MS. GARZA: The cook says if we don't get
21 over there, we're not going to get fed.

22
23 CHAIRMAN THOMAS: Okay, we recess until
24 midnight. Coming back.

25
26 (Off record)

27
28 (On record)

29
30 CHAIRMAN THOMAS: Mister introducer.

31
32 MR. CASIPIT: Yes, Mr. Chairman, Regional
33 Council. My name is Calvin Casipit. I'm the subsistence
34 staff biologist for the Forest Service and the Regional
35 Office. Proposal 28, again, was proposed by Mr. Richard
36 Stokes of Wrangell, Regional Advisory Council member, who
37 would like to increase the sockeye harvest limit in
38 Virginia Lake/Mill Creek for federally qualified
39 subsistence users. It would also extend the season by two
40 weeks, until August 15th. The proposed regulation would
41 read: For Virginia Lake or Mill Creek; sockeye salmon;
42 season harvest limit of 20, and the season open until
43 August 15th.

44
45 Our staff recommendation is to modify the proposal
46 to increase the harvest limit of Virginia Lake's sockeye to
47 20 salmon per day. In addition, we would institute a
48 season harvest limit of 40 salmon as a conservation
49 measure. We oppose extending the season two weeks for the

50 same reason as the last one: to protect females that return

00304

1 late in the run. We also recommend continuation of the
2 fertilization project at Virginia Lake being undertaken by
3 the Forest Service; and we also recommend an enhanced
4 escapement and harvest monitoring program. That program
5 has been submitted for 2001 funding through the fisheries
6 resource monitoring program.

7
8 That's the staff analysis.

9
10 CHAIRMAN THOMAS: Okay. We're not going to
11 allow any questions for any of the presenters from now on.
12 It's getting too late in the day. We're going to pass
13 everything as a blanket, and we're going to be rubber-
14 stamping everything from now on.

15
16 Any question for Mr. Casipit?

17
18 MS. GARZA: Is this Proposal 28?

19
20 MR. CLARK: Uh-huh.

21
22 MR. CASIPIT: 28.

23
24 CHAIRMAN THOMAS: Proposal 28. The
25 preliminary conclusion is to modify the proposal to
26 increase the harvest limit of Virginia Lake sockeye to 20
27 salmon per day, institute a season harvest limit of 40
28 salmon. Oppose extending the season for two weeks. Also,
29 recommend continuation of the fertilization project at
30 Virginia Lake and an enhanced escapement and harvest
31 monitoring program. And they told you why.

32
33 MR. STOKES: Mr. Chairman?

34
35 CHAIRMAN THOMAS: Yes.

36
37 MR. STOKES: I agree with the staff
38 recommendation.

39
40 CHAIRMAN THOMAS: That's encouraging.

41
42 MR. STOPHA: Mark Stopha with Fish and Game
43 again. The State concurs with the preliminary conclusions
44 of the Federal biologist.

45
46 CHAIRMAN THOMAS: Okay. Questions of
47 Department?

48
49 MR. LITTLEFIELD: What's the current bag

50 limit, sir, for subsistence use and annual bag limit?

00305

1 MR. BERGMANN: Mr. Chairman, William
2 Bergmann. The current limit is 10 fish a day with no
3 annual bag limit.

4
5 CHAIRMAN THOMAS: Further questions? Other
6 agency comments? Public comments?

7
8 (No audible responses)

9
10 CHAIRMAN THOMAS: It's come to the Council
11 for deliberations and recommendations, justification.
12 Thank you, gentlemen.

13
14 MR. CLARK: Mr. Chairman?

15
16 CHAIRMAN THOMAS: Fred?

17
18 MR. CLARK: There were five comments in
19 opposition to this proposal. The Southeast Alaska
20 Fisherman's Alliance opposes this proposal, as does the
21 Southeast Alaska Seiners, the Petersburg Vessel Owners
22 Association, the United Southeast Alaska Gillnetters and
23 Chris Guggenbickler of Wrangell; and it's in the book, on
24 page 90.

25
26 CHAIRMAN THOMAS: Thank you. I've got mine
27 on 95.

28
29 MR. CLARK: And 95 -- 90 and 95.

30
31 CHAIRMAN THOMAS: Okay, thank you. What's
32 the wish of the Council?

33
34 MR. MARTIN: Mr. Chairman.

35
36 CHAIRMAN THOMAS: Harold.

37
38 MR. MARTIN: Is Virginia Lake in the right
39 place on this map?

40
41 CHAIRMAN THOMAS: It's in Virginia?

42
43 MR. BERGMANN: Yes.

44
45 CHAIRMAN THOMAS: Chair entertains a motion
46 to adopt. Marilyn?

47
48 MS. WILSON: Mr. Chairman, I move to adopt
49 the proposal.

00306

1 CHAIRMAN THOMAS: Okay. Is there a second?

2
3 MR. ADAMS: Second.

4
5 CHAIRMAN THOMAS: Motion seconded.

6 Discussion? John?

7
8 MR. LITTLEFIELD: What was the motion?

9
10 CHAIRMAN THOMAS: A motion to adopt.

11
12 MS. GARZA: The staff recommendation or the
13 proposal?

14
15 CHAIRMAN THOMAS: The staff recommendation.

16
17 MS. GARZA: Oh, I just said the proposal.

18
19 CHAIRMAN THOMAS: The proposal. Well, it's
20 modified -- modify the proposal to increase.

21
22 MS. GARZA: The staff recommendation.

23
24 CHAIRMAN THOMAS: The staff recommendation?

25
26 MR. KOOKESH: Is that what she said? No,
27 she moved to adopt.

28
29 CHAIRMAN THOMAS: Is that good enough? Say
30 yes.

31
32 MS. WILSON: Somebody else make the motion.

33
34 CHAIRMAN THOMAS: I move that --

35
36 MR. ADAMS: I move that we adopt the staff
37 recommendation on this proposal.

38
39 CHAIRMAN THOMAS: And Marilyn seconded it.

40 Discussion?

41
42 MS. GARZA: Call for the question.

43
44 CHAIRMAN THOMAS: The question has been
45 called. All those in favor, say aye.

46
47 IN UNISON: Aye.

48
49 CHAIRMAN THOMAS: Those opposed?

00307

1 (No opposing responses)

2

3 CHAIRMAN THOMAS: Motion is carried. Okay,
4 we'll deal with the rest of these as a block.

5

6 MR. CASIPIT: 29.

7

8 CHAIRMAN THOMAS: Mr. Cal.

9

10 MR. CASIPIT: Thank you, Mr. Chairman.
11 Proposal 29, again, was proposed by Mr. Richard Stokes of
12 Wrangell, and Regional Advisory Council member. It is much
13 the same as the previous proposal. It asks to increase the
14 sockeye harvest limit at Thom's Creek on Wrangell Island to
15 20 fish and extend the season by two weeks until August
16 15th.

17

18 Our staff recommendation at this time is to
19 increase the daily harvest limit of Thom's Creek sockeye to
20 20 salmon per day and, also, institute a season harvest
21 limit of 40 sockeye salmon as a conservation measure. We
22 oppose the extension of the season by two weeks for the
23 same reason, to protect female sockeye salmon in the late
24 part of the run.

25

26 CHAIRMAN THOMAS: Is it safe to assume that
27 this is close enough to the earlier proposals to the
28 Department that the comments would apply here? Okay. And,
29 so, there won't be no questions and no public comments.
30 How about other agencies? Other agencies? Fred.

31

32 MR. CLARK: There are, again, five public
33 comments in opposition to this proposal from the same
34 group.

35

36 CHAIRMAN THOMAS: What's the wish of the
37 Council?

38

39 MS. GARZA: Mr. Chair?

40

41 CHAIRMAN THOMAS: Dolly?

42

43 MS. GARZA: I would move that we support
44 the staff recommendations to increase the daily harvest
45 limit of Thom's Creek sockeye to 20 salmon per day and
46 institute a season harvest limit of 40 sockeye salmon with
47 no extended season.

48

49 CHAIRMAN THOMAS: You heard the motion?

00308

1 MR. LITTLEFIELD: Second.

2
3 CHAIRMAN THOMAS: Move and seconded.
4 Discussion.

5
6 MR. MARTIN: Mr. Chairman.

7
8 CHAIRMAN THOMAS: Harold.

9
10 MR. MARTIN: I just have a question. On
11 the Proposition 28, Mr. Bergmann stated that there was a
12 limit of 10 fish per day with no annual bag limit. I
13 wondering why we need to put a limit on how many fish can
14 we take?

15
16 CHAIRMAN THOMAS: Do you want to offer an
17 amendment?

18
19 MR. MARTIN: Not really. I was just asking
20 a question.

21
22 CHAIRMAN THOMAS: Okay, now, the question
23 doesn't have to do with up or down on the motion.

24
25 MR. CLARK: This Federal harvest limit was
26 included at the conclusion of a number of conversations
27 between staff with the Forest Service, with staff of Alaska
28 Department of Fish and Game and with Mr. Stokes. The idea
29 being that if there was an increased daily take of fish
30 with no backstop that, in combination with the State regs,
31 would leave it open for conservation concerns. So, it was
32 through those conversations that the annual limit was
33 included.

34
35 MR. STOKES: Thank you.

36
37 CHAIRMAN THOMAS: Dolly?

38
39 MS. GARZA: So, do you have any objection
40 to that?

41
42 CHAIRMAN THOMAS: No. I have no objections
43 whatsoever. For discussion: John?

44
45 MR. LITTLEFIELD: Mr. Chairman, I was
46 wondering: a question to staff, more, but it's on the
47 motion, is why there wasn't anything that had to do with --
48 the previous two motions had some monitoring provisions,
49 and I noticed this one didn't. We didn't have anything in

50 this particular motion to have it monitored. I'm wondering

00309

1 if we should add it by amendment?

2

3 MR. KOOKESH: Was that in the last motion?

4

5 MR. LITTLEFIELD: Yes, it was.

6

7 MR. CLARK: Mr. Chairman, staff would
8 certainly support that.

9

10 CHAIRMAN THOMAS: (Tligit) Not to worry.
11 Further discussion?

12

13 MS. PHILLIPS: Mr. Chair.

14

15 CHAIRMAN THOMAS: Patti.

16

17 MS. PHILLIPS: I see that one of the public
18 comments from Chris Guggenbickler says that it's accessible
19 by road. Is it?

20

21 CHAIRMAN THOMAS: Is it, Cal?

22

23 MR. STOKES: Mr. Chairman?

24

25 CHAIRMAN THOMAS: Yeah.

26

27 MR. STOKES: Guggenbickler says that it was
28 connected by road; but, I saw this map of Wrangell, and the
29 road doesn't come within a mile and a quarter of the head
30 of the lake, and no one's going to pack their net and their
31 gear down there.

32

33 MR. CASIPIT: Mr. Chairman.

34

35 CHAIRMAN THOMAS: Cal.

36

37 MR. CASIPIT: Mr. Stokes is correct. There
38 is a spur road way up in the headwaters; but we seriously
39 doubt that people would be interested from walking from
40 that far up in the watershed down to the lake to do their
41 harvesting.

42

43 CHAIRMAN THOMAS: Thank you. Further
44 discussion? You guys sure love to drag these out.

45

46 Further discussion?

47

48 (No audible responses)

49

CHAIRMAN THOMAS: Question been call?

00310

1 MR. LITTLEFIELD: Uh-huh (affirmative).

2
3 CHAIRMAN THOMAS: All those in favor say
4 aye.

5
6 IN UNISON: Aye.

7
8 CHAIRMAN THOMAS: Opposed?

9
10 (No opposing responses)

11
12 CHAIRMAN THOMAS: Motion carries. Mister
13 introducer.

14
15 MR. CASIPIT: Thank you, Mr. Chairman.
16 Again, my name is Calvin Casipit. I'm the subsistence
17 staff biologist for the Forest Service for the Alaska
18 region. Proposal 27, again, was proposed by Mr. Richard
19 Stokes of Wrangell, a Regional Advisory Council member. He
20 would like to establish a Federal subsistence season and
21 annual harvest limits for sockeye, coho and chinook salmon
22 on the Stikine River.

23
24 Staff recommendation is to modify the proposal to
25 establish a Federal subsistence fishery using a Federal
26 permit, as follows: for chinook salmon, a season harvest
27 limit of five with a season of June 1st to July 20th; for
28 sockeye salmon, a season harvest limit of 40, from June
29 15th to July 31st; for coho salmon, a season harvest limit
30 of 20, with a season from August 15th to October 1. We
31 would have no specific restrictions on gear types or the
32 use of bait. In addition, we request that people who fish
33 using these permits would be required to report the number
34 and size of each species of salmon taken; the dates and the
35 location of the harvests; basically, whether they were
36 harvested in a tributary stream or the main river; and the
37 type of gear that was used.

38
39 I was presented a small oversight that staff made
40 in making this recommendation. We should have, in
41 addition, had that same change to paragraph 26 of the
42 Federal regulations that prohibits of issuance of chinook
43 and coho permits for the taking of chinook and coho salmon
44 for subsistence. We would need to modify that permit.
45 Well, I guess we would end up having to strike that entire
46 paragraph from the regulations.

47
48 CHAIRMAN THOMAS: Any questions of staff?
49 If you've got questions of staff, I'd like them now instead

50 of later. Department? Everything okey-dokey? Other

00311

1 agencies? Okey-dokey. Summary of written public comments?
2 Fred?

3
4 MR. CLARK: There are, again, five public
5 comments in opposition to the proposal, again from the same
6 organizations and individuals.

7
8 MS. GARZA: Well, there's some neutral and
9 support.

10
11 CHAIRMAN THOMAS: Okay, public comment.
12 Was that your comment?

13
14 MR. CLARK: Mr. Chairman. I was looking on
15 the wrong page, I'm sorry. Dolly is correct. There are
16 three neutral comments, one support, and one oppose.

17
18 CHAIRMAN THOMAS: I see that on page 111.

19
20 MR. CLARK: That's page 104. It's page 104
21 and page 111, also.

22
23 CHAIRMAN THOMAS: Okay, the Chair notes
24 that. Hearing no public comment, it's now in the hands for
25 deliberation and recommendations and justification from the
26 Regional Advisory Council. What's the wish of the Council?

27
28 MS. GARZA: Mr. Chairman?

29
30 CHAIRMAN THOMAS: Dolly?

31
32 MS. GARZA: I move to accept the staff
33 recommendation for Proposal 27 as outlined for chinook,
34 sockeye and coho with no specific restrictions on gear type
35 or the use of bait.

36
37 CHAIRMAN THOMAS: There's the motion. Is
38 there a second?

39
40 MR. ADAMS: Second.

41
42 CHAIRMAN THOMAS: The motion is seconded.
43 Discussion?

44
45
46 MR. MARTIN: Question.

47
48 CHAIRMAN THOMAS: The question has been
49 called. All those in favor say aye.

00312

1 IN UNISON: Aye.

2

3 CHAIRMAN THOMAS: Opposed, same sign?

4

5 (No opposing responses)

6

7 CHAIRMAN THOMAS: Motion carried. Fred?

8

9 MR. CLARK: Mr. Chairman, is it the wish of
10 the Council that the staff's verbal suggestion about
11 changing the chinook requirements in the regulations be
12 included in that?

13

14 CHAIRMAN THOMAS: Do whatever you need to
15 do to make us look good. And that's the bottom line.

16

17 MS. GARZA: So that in Regulation 26
18 I-13(b) will then just disappear.

19

20 MR. CASIPIT: Yes, I would like that.
21 Actually, I would like that on the record and in the
22 transcripts. It would be appropriate for the Council to
23 pass a motion along those lines.

24

25 CHAIRMAN THOMAS: Okay, somebody make a
26 motion. John?

27

28 MR. LITTLEFIELD: Mr. Chairman, I make a
29 motion that we strike section 26 I-13(b) as delineated on
30 page 50 and, further, that we make it clear to the Federal
31 Subsistence Board that our intent is to issue chinook and
32 coho permits for subsistence.

33

34 CHAIRMAN THOMAS: There's the motion. Is
35 there a second?

36

37 MS. GARZA: Second.

38

39 CHAIRMAN THOMAS: Moved and second.
40 Discussion?

41

42 MS. WILSON: Question.

43

44 CHAIRMAN THOMAS: The question was called.
45 All those in favor, say aye.

46

47 IN UNISON: Aye.

48

49

CHAIRMAN THOMAS: Opposed?

00313

1 (No opposing responses)

2

3 CHAIRMAN THOMAS: Motion carried. Hooray,
4 we're moving out of Stikine country.

5

6 MR. CASIPIT: Mr. Chairman, Proposal 30.

7

8 MS. GARZA: Just a second. Mr. Chairman?

9

10 MR. CASIPIT: I'm sorry.

11

12 CHAIRMAN THOMAS: Yes, Dolly?

13

14 MS. GARZA: I would like to thank and
15 congratulate Mr. Stokes on such great work. I mean, this
16 is what we're supposed to be doing at Council, members, and
17 you just got on and came loaded with five proposals; and
18 you got them all.

19

20 MR. STOKES: Thank you very much.

21

22 MS. GARZA: That's what we should all be
23 doing.

24

25 CHAIRMAN THOMAS: No objection to that.

26

27 MR. STOKES: No objection whatsoever.

28

29 CHAIRMAN THOMAS: Okay, let's go after the
30 Jackson/Anderson coalition.

31

32 MR. CASIPIT: Proposal 30 was proposed by
33 the Organized Village of Kake and the City of Kake. They
34 ask to restrict the harvest of steelhead trout in Hamilton
35 Bay River and Kadake Bay River to Federally-qualified
36 subsistence users only.

37

38 Our staff recommendation at this time is to oppose
39 the proposal. There appears that sport harvest in these
40 two systems are very low at this time, so that sport
41 harvest probably isn't interfering with the ability for
42 subsistence users to get steelhead.

43

44 CHAIRMAN THOMAS: I'm have a tough to
45 listen with my (indiscernible) machine. I'm really having
46 a hard time hearing.

47

48 MR. CASIPIT: Sorry, Mr. Chairman.

49

CHAIRMAN THOMAS: You say existing

00314

1 conditions are okay?

2

3 MR. CASIPIT: If you want to flip to our
4 staff analysis, we do have some data presented on red
5 counts in Kadake Creek. There really is no trend in the
6 number of reds in Kadake Creek, either up or down; and,
7 also, as far as harvest, there is very little data to track
8 steelhead harvest in either of these two systems. Perhaps
9 sportfish division can speak to the level or the ability
10 for the statewide sport harvest survey to pick up on sport
11 harvest in these two systems. We also recommended a stock
12 and harvest assessment program, which is in the program for
13 2001 fisheries resource monitoring fund.

14

15 CHAIRMAN THOMAS: What's your reason for
16 that?

17

18 MR. CASIPIT: Well, we do want to evaluate
19 escapements and look at existing harvest levels; and,
20 perhaps, based on that information we collect with that
21 work, we can allow more subsistence harvest in that system.

22

23 CHAIRMAN THOMAS: What's the allowable take
24 again?

25

26 MR. CASIPIT: The existing harvest in those
27 two systems are under the sportfish regulations; and that's
28 the 36-inch minimum size, one fish per day, two-fish season
29 limit.

30

31 CHAIRMAN THOMAS: Thank you. Any questions
32 for staff? Okay, hearing then, comment?

33

34 MR. HOFFMAN: Mr. Chairman, Steve Hoffman,
35 Fish and Game. Yeah, the State agrees with the position
36 outlined by Cal and the staff; and there also has been be
37 pointed out that we've submitted a project proposal with
38 the Organized Village of Kake to conduct an escapement weir
39 and harvest monitoring project there, as Cal indicated, to
40 determine if there is additional harvest available in that
41 system.

42

43 CHAIRMAN THOMAS: Is there a weir there
44 now?

45

46 MR. HOFFMAN: No, there's not.

47

48 CHAIRMAN THOMAS: Okay. I've always
49 maintained, if you can count the fish individually, that

50 red is in trouble; and I don't have a liking for weirs.

00315

1 Okay. Any questions of Department? Did you have
2 preliminary comments? I need a query of any comments or
3 questions for the Department. John?

4
5 MR. LITTLEFIELD: On page 113, you see in
6 the first sentence there: Department data indicates there
7 is no significant sport harvest. Everybody always asks us
8 what no significant impact means, and I'm going to ask you
9 what no significant sport harvest means.

10
11 MR. HOFFMAN: Mr. Chairman, basically that
12 means is that from our statewide harvest data that we
13 collect around the region; and, in this situation, we did
14 not get an indication from that there's a lot of effort and
15 harvest within that system.

16
17 MS. GARZA: Bill?

18
19 CHAIRMAN THOMAS: Dolly?

20
21 MS. GARZA: So, then, the proposal for the
22 monitoring project is with OVK?

23
24 MR. HOFFMAN: Mr. Chairman, that's correct.
25 It would be a cooperative project between the Department
26 and the Forest Service and that organization.

27
28 MS. GARZA: So, I would say that OVK has
29 submitted this proposal because they disagree with you on
30 on the significant level of harvest.

31
32 MR. HOFFMAN: In the interactions that our
33 Juneau office has had with people from Kake, it's a
34 verification of the information that's being presented by
35 the Department and their feelings on what's going on. All
36 the discussions have been of a very cooperative nature;
37 and, to answer the question, it's both sides of the ring.

38
39 CHAIRMAN THOMAS: Okay.

40
41 MR. LITTLEFIELD: I have a follow-up
42 question, Mr. Chairman.

43
44 CHAIRMAN THOMAS: John?

45
46 MR. LITTLEFIELD: I'm looking at page 115.
47 This is actually the Organized Village of Kake proposal,
48 which I try to read each one of these because they might
49 shed some light on it. Under item 2, they said the

50 sportfishing for these two streams have increased over the

00316

1 years to the point where customary and traditional
2 gathering is virtually nil. So, apparently they, like
3 Dolly said, I think they believe there is quite a bit of
4 sportfishing going on there; or at least more than
5 significant.

6
7 CHAIRMAN THOMAS: Okay, we're not going to
8 get into cross examination. You are going to listen to
9 information that's provided; and we're not going to put
10 anybody in a bind with any further speculation. If you
11 folks could just remember that. It puts them in a tough
12 position. We're suggesting something -- we're implying
13 something that we can't substantiate, not that I disagree
14 with you.

15
16 MR. LITTLEFIELD: I apologize for the
17 comments out of order.

18
19 CHAIRMAN THOMAS: Thank you. Further
20 questions. Marilyn?

21
22 MS. WILSON: Yes, I have a question. Why
23 this is ongoing, or this coop, because the study thing
24 began with the Village of Kake?

25
26 MR. HOFFMAN: Mr. Chairman, I'd have to
27 defer to Cal. He had an indication of a funding, you know,
28 when we might have that money available.

29
30 MR. CASIPIT: The funds would come out of
31 our fiscal year 2001 budget, which I heard just this
32 morning that was signed by signed by President Clinton.
33 So, we do have the money and we would start undertaking
34 field work this field season.

35
36 CHAIRMAN THOMAS: Were there questions of
37 Department? Patti?

38
39 MS. PHILLIPS: This analysis says that
40 there is no designated established subsistence season.
41 Would this proposed regulation establish a subsistence
42 steelhead season?

43
44 CHAIRMAN THOMAS: I would have to yield to
45 the staff at the end of the table.

46
47 MR. CASIPIT: This proposal does not
48 establish a subsistence season. It merely asks to restrict
49 harvest by non-Federally-qualified subsistence users.

00317

1 CHAIRMAN THOMAS: Further questions?

2
3 MS. WILSON: Mr. Chairman?

4
5 CHAIRMAN THOMAS: Marilyn?

6
7 MS. WILSON: I'm going to ask the same
8 thing Patti did, I guess; but is there a season for
9 subsistence users to go catch?

10
11 CHAIRMAN THOMAS: No.

12
13 MS. WILSON: Why are we even trying to
14 restrict, then?

15
16 CHAIRMAN THOMAS: We'll have to have
17 deliberation to deal with that. Floyd?

18
19 MR. KOOKESH: This ought to answer her
20 question. If you go to page 115, number 2: I think it's
21 being based, like Cal said a minute ago, about local
22 knowledge -- what he considered local knowledge.

23
24 MS. WILSON: Oh, okay. Competing.

25
26 CHAIRMAN THOMAS: Ida. Pull up a chair.

27
28 MS. HILDEBRAND: Thank you, Mr. Chairman.
29 Ida Hildebrand, BIA staff committee member. Just to inform
30 you about that project that Kake is doing with ADF&G and
31 with the Forest Service: That's kind of their solution to
32 the problem. They are looking for a local solution and
33 it's a good project and I'm sure it will be funded and Kake
34 is going to be doing a large part of that study. So, I
35 think this proposal was submitted prior to the request for
36 funds to study the situation.

37
38 CHAIRMAN THOMAS: Thank you. You guys are
39 going just too fast for me. Summary of written comments?

40
41 MR. CLARK: One. The Southeast Alaska
42 Fisherman's Alliance says they agree that escapement data
43 is needed for these systems.

44
45 CHAIRMAN THOMAS: Okay. Public comment?
46 Okay, let's bring it to the responsibility of the Council.
47 What is the voice of the Council?

48
49 MR. LITTLEFIELD: Mr. Chairman, I have a

50 motion.

00318

1 CHAIRMAN THOMAS: John. Let me explain
2 something to you, John. Watch me. See, you went like
3 this? Your hand isn't any longer than Mike's head. When
4 you go like this, I can't see you. You've got to reach.

5
6 MR. LITTLEFIELD: That's all I know,
7 Mr. Chairman.

8
9 CHAIRMAN THOMAS: A boardinghouse reach.
10 When you're on this Council, there are no limits.
11 Mr. Littlefield.

12
13 MR. LITTLEFIELD: Mr. Chairman, I'd like to
14 make a motion to adopt Proposal 30, as proposed, with the
15 addition to further recommend a stock and harvest
16 assessment program.

17
18 CHAIRMAN THOMAS: You heard the motion.

19
20 MR. ADAMS: Second.

21
22 CHAIRMAN THOMAS: Moved and second.
23 Discussions? John?

24
25 MR. LITTLEFIELD: Speaking to the motion,
26 now, you bring back up point two on page 115. I have to
27 look at this as the local knowledge. People say that there
28 are, apparently, sportfish conflicts in there and that's
29 why I would support the proposal.

30
31 CHAIRMAN THOMAS: Further discussion?

32
33 MR. CLARK: Mr. Chairman.

34
35 CHAIRMAN THOMAS: Fred?

36
37 MR. CLARK: Just another caution: As the
38 Board looks at a proposal like this, I think they will be
39 sensitive to the idea of local knowledge, as you are
40 pointing out. But, also, look at the information that's
41 presented by ADF&G and try to balance that; but there's a
42 good chance -- some chance, I don't know if it's a good
43 chance -- but there's some chance that they will look at
44 Section 815 which says that you can't unnecessarily
45 restrict non-subsistence harvest. So, if it looks like
46 there's not enough sport harvest going on to impact the
47 subsistence harvest, then they would go against the
48 Council's recommendation; but they will also listen to the
49 local knowledge argument as well. I just wanted to point

50 that out.

00319

1 CHAIRMAN THOMAS: We do have control over
2 our sniveling when it's appropriate at the Board meeting.
3 Further discussion?

4
5 MS. WILSON: Would you make the motion,
6 please?

7
8 MR. LITTLEFIELD: If you will turn to page
9 113, the proposed regulation was the Hamilton Bay River and
10 Kadake Bar River are closed to the harvest of steelhead
11 except by Federally-qualified subsistence users. Skip one
12 line and add, further recommend a stock and harvest
13 assessment program.

14
15 CHAIRMAN THOMAS: Further discussion?

16
17 MS. PHILLIPS: Mr. Chair?

18
19 CHAIRMAN THOMAS: Patti?

20
21 MS. PHILLIPS: Would it be appropriate to
22 establish a subsistence season at the same time for
23 steelhead? Did we only do it for POW?

24
25 CHAIRMAN THOMAS: I'm just the Chair. You
26 going to have to have to ask her because Mary's got the
27 answer. Mary.

28
29 MS. RUDOLPH: I'd like to make a second on
30 the proposal before we discuss it, so it doesn't die on the
31 table.

32
33 MR. LITTLEFIELD: It was seconded earlier.

34
35 MS. RUDOLPH: Oh, it was? Okay, I didn't
36 hear that.

37
38 MR. LITTLEFIELD: It was clarification.

39
40 MS. RUDOLPH: I'd just like to know: What
41 else does people here think? I mean.

42
43 MS. GARZA: I think the quandary is that
44 they didn't ask for it.

45
46 MR. LITTLEFIELD: Yeah. Kake people could
47 ask for the season.

48
49 MS. GARZA: Too bad Lonnie's not here.

00320

1 MR. CLARK: Mr. Chairman?

2
3 CHAIRMAN THOMAS: Fred.

4
5 MR. CLARK: The way the Federal regs work
6 is that if there isn't a Federal season established, then
7 the State subsistence regs and the State sport regs apply
8 in terms of season and bag. So, there is a de facto
9 Federal season.

10
11 MS. PHILLIPS: Who will be the Federally-
12 qualified subsistence users?

13
14 CHAIRMAN THOMAS: The de facto users.

15
16 MR. CLARK: Those people with customary and
17 traditional use in the area.

18
19 MS. RUDOLPH: Okay, I get it.

20
21 MR. MARTIN: Mr. Chairman?

22
23 CHAIRMAN THOMAS: Harold.

24
25 MR. MARTIN: I guess I'm slightly confused,
26 FRED Division. You're saying that Kadake Bay, now, that
27 they are currently under State regs?

28
29 MR. CLARK: Right.

30
31 MR. MARTIN: But these rivers do run
32 through the Tongass National Forest.

33
34 MR. CLARK: That's correct. So, the
35 Federal regulations do apply. But, if there isn't a
36 Federal season guide limit that's produced, so it's in our
37 regulations specifically for season and bag limits, then
38 those that are in place by the State apply de facto. Cal,
39 can you explain in some different words that might make it
40 clearer?

41
42 MR. CASIPIT: Let me try this: In the
43 absence of a specific season and bag limit under the
44 Federal regulations, it reverts back to a State subsistence
45 season and bag limit. If there is not a State season and
46 bag limit for the species in question, then it kicks down
47 even further into the State sportfish bag limit and season.

48
49 CHAIRMAN THOMAS: Okay, earlier you guys

50 heard Ida Hildebrand say that this was put together before

00321

1 a project had dwindled or designated for that area; and
2 that project that they have in place now is going to go a
3 long way to addressing this. So, I'm not sure what we're
4 doing here. There's a motion to adopt. Discussion?

5
6 MR. ADAMS: Question.

7
8 CHAIRMAN THOMAS: Question has been called.
9 All those in favor, say aye.

10
11 ALL EXCEPT MS. WILSON: Aye.

12
13 CHAIRMAN THOMAS: Those opposed?

14
15 MS. WILSON: Aye.

16
17 CHAIRMAN THOMAS: Motion carries. We'll
18 take a one minute break. I can see expressions of
19 confusion, bewilderment and all that kind of thing; so,
20 we'll take a one-minute break to kind of recapture our
21 thoughts and our focus.

22
23 (Off record)

24
25 (On record)

26
27 CHAIRMAN THOMAS: Time to go back to work.
28 Okay, Cal?

29
30 MR. CASIPIT: Thank you, Mr. Chairman.
31 Again, my name is Calvin Casipit. I am the subsistence
32 staff biologist for the Forest Service, Alaska Region.
33 Proposal 31 was proposed by Organized Village of Kake and
34 the City of Kake. Their proposed regulation reads: All
35 streams draining into Falls Lake, Gut Bay and Pillar Bay
36 are closed to the harvest of sockeye salmon except by
37 Federally qualified users. In addition, there is no
38 harvest limit on the subsistence take of sockeye salmon
39 from Falls Lake, Gut Bay and Pillar Bar Streams.

40
41 Our staff recommendation is: do not support
42 restricting the harvest of sockeye salmon to only Federally
43 qualified subsistence users and eliminating possession
44 limits. Let me take a few minutes to talk about our
45 justification. We recognize that at Falls Lake there is a
46 conservation concern there. In fact, we have, on the
47 recommendation of this Council, instituted a stock
48 assessment and harvest program at Falls Lake. In addition,
49 eliminating possession limits would only exacerbate our

50 conservation concerns for the Falls Lake system. That's

00322

1 why we're not supporting the elimination of possession
2 limits. In addition, proposed from the City of Kake, Fish
3 and Game and the Forest Service, Organized Village of Kake
4 -- in addition, there's some more harvest assessment and
5 stock assessment work that is in the 2001 program of work
6 for these areas.

7
8 That concludes our analysis.

9
10 CHAIRMAN THOMAS: Questions of staff?

11
12 MR. CASIPIT: Oh, I'm sorry. I forgot one
13 more thing. The existing sport harvest in three systems,
14 based on the information that we have before us was,
15 basically, a very low percentage of existing harvest is
16 coming from non-qualified Federal users and sport users.
17 In addition, Fish and Game has acted to reduce the sport
18 limit at Falls Lake from six per day, 12 in possession, to
19 three per day and six in possession.

20
21 CHAIRMAN THOMAS: Any questions of staff?

22
23 (No audible responses)

24
25 CHAIRMAN THOMAS: Department?

26
27 MR. BROOKOVER: Thank you, Mr. Chairman.
28 Tom Brookover with the Department of Fish and Game, Sport
29 Fish Division, in Sitka. Mr. Chairman, the staff generally
30 supports the Federal staff analysis for this proposal and,
31 again, would mention that for this current fiscal year
32 there is a project online at Falls Lake to assess the
33 escapement into that system as well as the subsistence
34 harvest; and I believe the sport harvest as well.

35
36 CHAIRMAN THOMAS: Okay. Questions of
37 Department? Thank you. Oh, okay. Good job, John. You've
38 got it.

39
40 MR. LITTLEFIELD: Tom, have you heard of
41 any people on the streams -- it was alluded to in an
42 earlier one, where people were canning fish and stuff. Is
43 there any of that going on in any of these three systems
44 that you're aware of?

45
46 MR. BROOKOVER: Mr. Chair, Mr. Littlefield:
47 I'm not aware of any canning that's been going on in the
48 streams. I oversee the Sitka management area and, as such,
49 I have responsibility for Falls Lake. The Petersburg area

50 biologist has the management overview for Pillar Bay, and I

00323

1 don't have any information if that may or may not be
2 occurring in the Pillar Bay system. But, I have not heard
3 of that happening in Gut Bay or Falls Lake, the two systems
4 in the Sitka area.

5
6 MR. LITTLEFIELD: Follow-up question: I'm
7 concerned a little about some of the data that we get back
8 from those people that we know are doing that from the
9 Sitka area. I don't know if you're getting good data.
10 What requirements are there for those people who are non-
11 residents that are sportfishing on various rivers, if any,
12 to report to you?

13
14 MR. BROOKOVER: Mr. Chair, Mr. Littlefield,
15 there's three major ways we estimate sport harvest. And
16 people that would fish at Falls Lake or Gut Bay or Pillar
17 Bay would be subject to two of those methods. The first
18 one is the statewide harvest survey that we conduct on a
19 statewide basis. It's a mail out questionnaire that's sent
20 to 22 to 23,000 households within which one member of the
21 household bought a sportfishing license. That project we
22 use as our primary source of harvest and effort data. That
23 project gives us good data, data that is very comparable to
24 other existing methods of harvest estimation, such as
25 on-site creel surveys, for large geographic areas. Where
26 that data tends to fall down is on very small systems with
27 very little effort, because it relies on having enough
28 effort in a given system to be picked up by one of the 22
29 or 23,000 questionnaires that are mailed out.

30
31 For that particular system, we also have logbook
32 reporting requirements for charter boat operators; and
33 that's been in effect since 1998. This year, 2000, was the
34 third year that the logbook program was available. We have
35 not seen a harvest estimate for Falls Lake through the
36 statewide harvest survey program. That's not to say that
37 sportfishing effort does not ever occur on the system. We
38 know that it does occur, because we've gotten recent
39 reports that it does occur. It's just that the effort is
40 too low to be picked up using the existing survey methods.

41
42 We looked at the log books to see what showed up on
43 the logbooks; and, in 1998, the first year of the program,
44 there was zero sockeye harvest in the Falls Lake, Gut Bay,
45 Hog Bay shoreline area of Baranof Island. Through the
46 logbook program we have small areas broken up -- not small
47 enough to say Falls Lake, per se -- but an area of Chatham
48 Strait that would encompass those three bays. Similarly,
49 we have stat areas for Pillar Bay in the logbook system.

50 For '98 there was zero harvest recorded in the logbooks,

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1 which means our estimate for guided harvest in those areas
2 in 1998 was zero. For 1999 in those areas -- Pillar Bay
3 and the west side of Chatham Strait on the east side of
4 Baranof -- we had a reported harvest of 32 sockeye in the
5 logbooks.

6
7 MR. LITTLEFIELD: Zero in '98; 32 in '99.

8
9 MR. BROOKOVER: Correct.

10
11 MR. LITTLEFIELD: Thank you, Tom. That's
12 all I have, Mr. Chairman.

13
14 CHAIRMAN THOMAS: Further questions for the
15 Department? Thank you.

16
17 MR. DOUVILLE: Maybe he could explain one
18 thing for me?

19
20 CHAIRMAN THOMAS: What's that?

21
22 MR. DOUVILLE: One page 129: The proposed
23 closure of sport fisheries cannot be supported on the
24 grounds of conservation of the stock since sport harvest
25 constitutes such a small portion of the total harvest.
26 Then, it says: due to the unknown nature and quantity of
27 the sport harvest, on the next line. So that, to me, is
28 confusing.

29
30 CHAIRMAN THOMAS: Yeah, that tends to have
31 some ambiguity. Can you clarify that? Ida?

32
33 MS. HILDEBRAND: Thank you, Mr. Chairman.
34 Ida Hildebrand, BIA staff committee member. Not addressing
35 the ambiguity, but addressing the fact that this is another
36 area where the Kake people have put in a request for a
37 study and are going to be funded; and they are going to be
38 studying what exactly are these numbers and who exactly are
39 using these waters. And I would suggest that the Council
40 might consider deferring until after those studies are
41 completed.

42
43 CHAIRMAN THOMAS: Thank you. Fred?

44
45 MR. CLARK: Speaking for staff: We tried
46 really hard to keep open communication and get as much
47 information as we could from the Sport Division of ADF&G as
48 the draft analysis was put together. There were
49 occasionally gaps, and I think that this brings up one of

50 those gaps of information that we did not adequately put in

00325

1 here the kind of testimony that Tom just presented. So, we
2 would not be adverse to striking the portion of the
3 justification that Mike referred to, those sentences about
4 the unknown quantity, because we just talked about some
5 data sources.

6
7 CHAIRMAN THOMAS: That would be a simple
8 way of addressing it. It wouldn't strike it from my mind.
9 It would strike it from the page.

10
11 MS. GARZA: Mr. Chairman?

12
13 CHAIRMAN THOMAS: Dolly?

14
15 MS. GARZA: I guess the feel I get from
16 this is that these three stocks are all small. The
17 escapements look like they're small.

18
19 MR. BROOKOVER: There is escapement
20 information in the text of the proposal; and I believe
21 those include.....

22
23 MR. LITTLEFIELD: It has weir data, page
24 127.

25
26 MS. GARZA: And, so.....

27
28 MR. BROOKOVER:Falls Lake Weir
29 Counts, and you can get an idea of the size of that stock
30 by considering the weir count to the lake and any
31 additional harvest that occurs there. The weir counts
32 range from 400 fish to, roughly, 5,800 fish in 1987. In
33 addition to that, there's subsistence harvest reported for
34 that system on page 124; and subsistence for Gut Bay and
35 Pillar Bay is on 125. I don't believe there's any
36 escapement information for Gut Bay and Pillar Bay.

37
38 MS. GARZA: But, I mean, these are small
39 stocks. They're not Stikine River stocks. They are not
40 Hetta Lake-volume stocks.

41
42 MR. BROOKOVER: Mr. Chairman, Ms Garza,
43 that's correct. Relative to the past 10 years of readout
44 returns, these are much smaller, in the range of the low
45 thousands.

46
47 MS. GARZA: Right. And, so, with that in
48 mind, Mr. Chairman, it's my understanding that the Federal
49 Subsistence Board may defer these because there are

50 projects going on, I think we should send a message that

00326

1 small sockeye stock should be limited to subsistence
2 because, in my personal looking at how -- once you have
3 commercial fishing in an area, and the State has an
4 obligation to maximize the economic benefits, then that
5 commercial fishing will stay forever. And these guys are,
6 I think, trying to do the right thing by providing a level
7 of conservation before it becomes an allocation issue,
8 instead of doing what we've done for the last 50 years and
9 waiting until there's five fish left and then deciding what
10 to do. And, so, I don't know if it's a broader policy
11 statement that those types of small sockeye systems should
12 be limited to subsistence.

13
14 CHAIRMAN THOMAS: We will take it up.

15
16 MS. GARZA: Okay.

17
18 CHAIRMAN THOMAS: Any further comments or
19 questions for Department? John?

20
21 MR. LITTLEFIELD: Could you state what the
22 current regulations are for permit, annual and daily bag
23 limits, on this?

24
25 MR. BROOKOVER: Mr. Chairman, Mr.
26 Littlefield: I'd have to refer to the text in the Federal
27 staff analysis. I believe Commercial Fisheries Division
28 put that information in there.

29
30 CHAIRMAN THOMAS: Cal.

31
32 MR. CASIPIT: For Falls Lake and Gut Bay,
33 the possession limit for both an individual and household
34 is 10 sockeye season with a season from June 1st to July
35 20th.

36
37 MR. LITTLEFIELD: Say again, please.

38
39 MR. MARTIN: It's 122, under regulatory
40 history.

41
42 CHAIRMAN THOMAS: Page 122, John.

43
44 MS. GARZA: Page 122, John.

45
46 MR. LITTLEFIELD: And, then, it's different
47 for back on this other page, okay. Okay, I got it.

48
49 CHAIRMAN THOMAS: Thank you.

00327

1 MR. BROOKOVER: Thank you.

2
3 CHAIRMAN THOMAS: Other agencies' comments?
4 Summary of written public comments?

5
6 MR. CLARK: The United Fishermen of Alaska
7 suggests that there should be a season limit on subsistence
8 take; that rural residents recommended for access should be
9 identified; and that there is no justification provided in
10 the proposal to close sport or personal use fisheries.

11
12 CHAIRMAN THOMAS: Okay. Public comments?
13 Regional Council: What's the wish of the Council? John?

14
15 MR. LITTLEFIELD: Mr. Chairman, I would
16 like to make the motion to approve the first section only
17 on page 121 of the Proposal 31: All streams draining into
18 Falls Lake, Gut Bay and Pillar Bay are closed to the
19 harvest of sockeye salmon except by Federally qualified
20 subsistence users.

21
22 CHAIRMAN THOMAS: You heard the motion. Is
23 there a second?

24
25 MS. GARZA: Second.

26
27 CHAIRMAN THOMAS: Moved and second.
28 Discussion?

29
30 MS. WILSON: I need to find the page that
31 you read that from.

32
33 MR. LITTLEFIELD: It would be 121.

34
35 MS. WILSON: Oh -- and what was your
36 motion?

37
38 MR. LITTLEFIELD: The motion was under how
39 should the new regulation read?

40
41 MS. WILSON: Uh-huh.

42
43 MR. LITTLEFIELD: The motion was the first
44 two sentences that are underlined, only. It did not
45 address harvest limits.

46
47 MS. GARZA: That first grayed out section.

48
49 MS. WILSON: Okay.

00328

1 CHAIRMAN THOMAS: Further discussion? The
2 big Q?

3
4 MS. GARZA: Mr. Chairman?

5
6 CHAIRMAN THOMAS: Dolly?

7
8 MS. GARZA: I think that there is a chance
9 that this will get deferred by the Federal Subsistence
10 Board, but I would like to have it included that our
11 justification is that smaller systems should be protected
12 for subsistence; and it's better to protect it before we
13 have an allocation issue. I mean, this is the kind of
14 conservation we should be practicing before we have the
15 charter people duking it out with the subsistence people
16 because, once they start spending money to go there,
17 they're going to say that's what they've done for time
18 immemorial, and they have rights; and they will, because it
19 will take us five years to get around to it again.

20
21 CHAIRMAN THOMAS: I concur completely.
22 Mary?

23
24 MS. RUDOLPH: I was wondering: On number
25 2, it says on the last sentence that an escapement sockeye
26 study should be done on each stream. So, they have already
27 addressed that. So, for us to wait when they already know
28 that study is being made, I'm kind of confused on why we
29 should wait and say well we're going to wait until the
30 Federal and the State.....

31
32 CHAIRMAN THOMAS: Dolly, could you
33 reiterate?

34
35 MS. GARZA: Well, according to the motion,
36 we're not waiting. John's motion is saying we support.

37
38 MS. RUDOLPH: Oh, okay.

39
40 CHAIRMAN THOMAS: John?

41
42 MR. LITTLEFIELD: Mr. Chairman, a point of
43 clarification there: There is going to be a study with the
44 Organized Village of Kake. We were told by staff and,
45 also, the BIA representative. The reason I made that
46 motion and did not include no harvest limit: because we
47 want to err on the side of conservation. And, they may
48 well throw it out, but we will have the data. Some of the
49 data that I've been looking at and the ADF&G has proposed

50 is challenged by the local people; and, so, I would say

00329

1 let's err on their side and get the real data. And, then,
2 if it justifies it; we can change it.

3
4 CHAIRMAN THOMAS: Patti?

5
6 MS. PHILLIPS: I support the motion, but I
7 would also support an increase in the harvest limit. I
8 don't want it unlimited, but I would want it increased.
9 When we were in Kake, you know, a lot of the subsistence
10 fishermen go across Chatham in open motorboats; and it can
11 be dangerous for them, you know -- trying to cross, a
12 westerly blowing -- and that costs a lot of money to fuel
13 up your gas tank. So, they're telling us that they always
14 went over there to catch.

15
16 CHAIRMAN THOMAS: We're waiting for a
17 motion, Patti.

18
19 MS. PHILLIPS: Move to amend.

20
21 CHAIRMAN THOMAS: Point of order.

22
23 MR. LITTLEFIELD: Mr. Chairman, the motion
24 is only on paragraph one. Paragraph two could be brought
25 up separately or as an amendment, either one; but it wasn't
26 included.

27
28 CHAIRMAN THOMAS: The point is acknowledged
29 and recognized.

30
31 MS. PHILLIPS: So we could do that
32 separately right after this?

33
34 CHAIRMAN THOMAS: Yeah.

35
36 MS. WILSON: Okay, on all this protocol --
37 I'm not familiar with, so....

38
39 CHAIRMAN THOMAS: Well, you're going to be
40 mayor, you got to know that protocol.

41
42 MR. LITTLEFIELD: For the record,
43 Mr. Chairman, we have five minutes left.

44
45 MS. WILSON: Question.

46
47 CHAIRMAN THOMAS: Question was called. All
48 those in favor say aye.

49

00330

1 CHAIRMAN THOMAS: Those opposed?

2
3 (No opposing responses)

4
5 CHAIRMAN THOMAS: Okay, is there further
6 action you desire regarding this proposal?

7
8 MS. GARZA: Mr. Chairman?

9
10 CHAIRMAN THOMAS: Dolly?

11
12 MS. GARZA: I remember the Kake meeting
13 when they came to us and we were first starting to talk
14 about it, and I thought that they had drafted regulations
15 that they were proposing that we would use. This is a long
16 time ago. They set down and drafted it. It was John Vale,
17 me, Ben and, I think, Mike Jackson. Well, those may have
18 since been lost. But, anyway, I can't remember -- if we're
19 saying no limit, I can't remember if they had a suggestion
20 like 40 fish or 20 fish or what, so, you know, if you want
21 to make a stab at it.

22
23 MS. WILSON: Mr. Chair?

24
25 CHAIRMAN THOMAS: Marilyn?

26
27 MS. WILSON: Whose got the chair?

28
29 CHAIRMAN THOMAS: I've got the chair.

30
31 MS. WILSON: Maybe we could find out for
32 sure and then do this tomorrow, instead of guessing.

33
34 CHAIRMAN THOMAS: The Chair is waiting for
35 directions.

36
37 MR. KOOKESH: I have a question,
38 Mr. Chairman.

39
40 CHAIRMAN THOMAS: Floyd.

41
42 MR. KOOKESH: They talk in here under
43 regulatory history, on page 122, they talk about -- it's
44 listed as individual/household. Can someone define all of
45 those terminologies here?

46
47 CHAIRMAN THOMAS: One household.

48
49 MR. KOOKESH: Individual.

00331

1 CHAIRMAN THOMAS: One household.

2

3 MR. KOOKESH: It says: an individual
4 harvest limit of 15 sockeye and a household possession
5 limit of 25. Are those low numbers, or are those adequate?

6

7 MS. PHILLIPS: Too low.

8

9 CHAIRMAN THOMAS: It we have an idea about
10 it, let's hear a number and let's chew on it. Let's move
11 on with this. You want 200?

12

13 MS. PHILLIPS: I think you may have said
14 60.

15

16 MS. GARZA: I was thinking 40, but I can't
17 remember.

18

19 MS. PHILLIPS: Well let's say 50.

20

21 MR. LITTLEFIELD: We just did a couple for
22 30, didn't we? A bunch, about three or four of them, are
23 30.

24

25 MR. KOOKESH: Mr. Chairman?

26

27 CHAIRMAN THOMAS: Yes. Floyd?

28

29 MR. KOOKESH: It would seem that there were
30 some stock assessments and monitoring being done on these
31 so-called small, very small -- that we should let it ride
32 until those numbers actually show up.

33

34 CHAIRMAN THOMAS: And I would challenge you
35 to do the same thing. I think we should be realistic in
36 the numbers that we're going to consider, move forward with
37 that, and see where it takes us. It's only going to be a
38 one-year thing. Yes?

39

40 MR. PROBASCO: Mr. Chair, if I may. Just
41 an observation I had -- Pete Probasco, State Liaison.
42 Thank you. I think it's important that we take a look at
43 the escapement figures that are provided here. And, also,
44 you as Council members have already identified that we have
45 a conservation concern for one of these systems. So, you
46 need to take that into consideration when we look at
47 harvest limits for these stocks, Mr. Chair.

48

49 CHAIRMAN THOMAS: Thank you.

00332

1 MS. WILSON: Mr. Chair?

2
3 CHAIRMAN THOMAS: Marilyn.

4
5 MS. WILSON: What is the harvest limit now?
6 I don't know what page. Oh, right here?

7
8 MR. LITTLEFIELD: Page 122.

9
10 MS. WILSON: Page 122, okay.

11
12 MR. LITTLEFIELD: And 128. Mr. Chair?

13
14 CHAIRMAN THOMAS: John.

15
16 MR. LITTLEFIELD: I would like to make a
17 motion to adopt the current regulations.

18
19 MS. WILSON: I second it.

20
21 CHAIRMAN THOMAS: You heard the motion.
22 It's been seconded. Questions?

23
24 MS. GARZA: You mean to maintain?

25
26 MR. LITTLEFIELD: To maintain.

27
28 MS. WILSON: Maintain.

29
30 MR. LITTLEFIELD: Mr. Chairman?

31
32 CHAIRMAN THOMAS: John?

33
34 MR. LITTLEFIELD: Speaking to this motion:
35 Several places in this proposal, the Organized Village of
36 Kake has said that an escapement sockeye study should be
37 done on each stream, and they talk about conservation, and
38 I think it's better to err on the side of the lower limits
39 right now that are in place. That's why I would support
40 this.

41
42 CHAIRMAN THOMAS: The Chair agrees with
43 that, and we do have a responsibility built in the Title
44 VIII that we don't do anything to jeopardize existing
45 stocks. If we jeopardize it, we could make a change in
46 mid-season and say, hey, we're running into a problem here.
47 We can't continue. Let's make a move. We're going to have
48 to have to yield to field management-type people to guide
49 us from that point. And I know we'll do that. But I'm

50 concerned with John - only one time that I'll

00333

1 (Indiscernible - throat clearing). Further discussion?

2

3 MR. MARTIN: Mr. Chairman?

4

5 CHAIRMAN THOMAS: Harold.

6

7 MR. MARTIN: I think Ms. Hildebrand
8 explained to us that there is going to be a study done in
9 cooperation with the State Fish and Game Department and I
10 think Fred, Cal and I are familiar with those proposals
11 that came out over the last round and there are provisions
12 in there and I think they have be funded for a harvest
13 monitor and I speak in favor of the motion.

14

15 MS. GARZA: Do we actually need the motion?

16

17 CHAIRMAN THOMAS: I got my earplugs on
18 (Indiscernible - simultaneous speech) again.

19

20 MS. GARZA: Do we actually need the motion?

21

22 CHAIRMAN THOMAS: Do we need the motion?
23 Yeah, we need it. We're right up to the nitty-gritty now.

24

25 UNIDENTIFIED VOICE: I say we just go on.
26 Question.

27

28 CHAIRMAN THOMAS: The question has been
29 called. All those in favor, say aye.

30

31 ALL EXCEPT MS. PHILLIPS: Aye

32

33 CHAIRMAN THOMAS: Those opposed?

34

35 MS. PHILLIPS: Aye.

36

37 CHAIRMAN THOMAS: Who said that aye?
38 Motion carries. We've got 18 minutes, Mister Introducer.

39

40 MR. CASIPIT: Thank you, Mr. Chairman. My
41 name is Calvin Casipit. I'm the subsistence staff
42 biologist for the Forest Service, Alaska Region. Proposal
43 40 is proposed by the Douglas Indian Association. It would
44 establish a new subsistence fishery in Taku Inlet. The
45 definition of the jurisdictional line for the Taku River
46 has not been finalized, although we have a draft map; but
47 it's not prepared and ready for the public yet.

48

49 If you read the actual proposal from the Douglas

50 Indian Association, they are requesting a set net fishery

00334

1 in Taku River, Taku Inlet. They request 25 salmon of
2 various species per household be allowed. A part of their
3 request talks about being able to fish with conventional
4 outboard motors, with props, instead of jet boats or jet
5 propeller systems. So, the way we read that is that
6 they're really not requesting a fishery in the river
7 itself, because they're talking about prop outboard motors;
8 and we feel that what they're asking for is a fishery
9 outside of Federal jurisdiction at this time. For those
10 reasons, we do not support the proposal. It's reaching
11 beyond current Federal jurisdiction at this time.

12
13 CHAIRMAN THOMAS: Questions of staff?

14
15 MR. LAITI: Mr. Chairman?

16
17 CHAIRMAN THOMAS: Butch?

18
19 MR. LAITI: No questions, but I'd just like
20 to clarify the proposal, being from Douglas.

21
22 CHAIRMAN THOMAS: Okay.

23
24 MR. LAITI: We don't expect this proposal
25 to be accepted. It's just another small step towards our
26 final goal. What we really want is for the Federal
27 boundary to be established. We want definite lines. This
28 is just another small step towards our final goal. But, so
29 far, we've asked for definite boundary lines; and nothing's
30 been happening. So, we just put this forward.

31
32 CHAIRMAN THOMAS: Okay. Thank you. John?

33
34 MR. LITTLEFIELD: This question's for Cal:
35 You said there was a map available. Is that from Point
36 Bishop, across headland to headland, or what or you looking
37 at?

38
39 MR. CASIPIT: We have a draft map that was
40 proposed by the district. It is in the regional office
41 right now for approval but we just haven't had the chance
42 to get all the maps in the same format that's useable by
43 the public and they haven't been approved by our board
44 member yet.

45
46 MR. LAITI: We asked for these last year
47 and just need a line drawn across to figure out where we're
48 at.

49

MR. CASIPIT: I hear your concern. I hear

00335

1 your request. We've just been so overworked that we just
2 haven't had the chance to get to drawing lines yet. We're
3 doing the best we can. I was hoping that we would have
4 maps by the time this meeting rolled around. I'm sorry. I
5 understand your frustration.

6
7 CHAIRMAN THOMAS: Are you wanting Richard
8 and I to come out of retirement and relieve some of the
9 pressure from you and your office in establishing the
10 lines? We can do that.

11
12 MR. CLARK: I think I've got a few
13 volunteer agreements in my briefcase over here.

14
15 MR. LAITI: Mr. Chairman?

16
17 CHAIRMAN THOMAS: Butch?

18
19 MR. LAITI: Yeah. We know this proposal's
20 going to be turned down. We just wanted to bring it up and
21 bring the issue up again. Save you time.

22
23 CHAIRMAN THOMAS: That's good strategy.
24 Who are we directing that comment to? How about let's hear
25 from the Department? I think we're at a point now where we
26 want to throw daggers.

27
28 MR. STOPHA: We concur with their analysis.

29
30 CHAIRMAN THOMAS: Okay. (Indiscernible -
31 laughter). Any part of that you guys don't understand.

32
33 MR. LITTLEFIELD: Fifteen dollar fine.

34
35 MS. GARZA: Oh, yeah.

36
37 CHAIRMAN THOMAS: Did you identify
38 yourself?

39
40 MS. GARZA: No.

41
42 CHAIRMAN THOMAS: Okay, any questions for
43 Department?

44
45 (No audible responses)

46
47 CHAIRMAN THOMAS: Thank you very much.
48 Other agency comments?

49

50 (No audible responses)

00336

1 CHAIRMAN THOMAS: Public comments?

2

3 MR. CLARK: Mr. Chairman, the Southeast
4 Alaska Fishermen's Alliance, the Petersburg Vessel Owners
5 Association, the United Southeast Alaska Gillnetters and
6 the United Fishermen of Alaska are all opposed to this
7 proposal, citing that the area proposed for the subsistence
8 fishery is outside Federal jurisdiction and that the
9 proponents do not qualify as Federally qualified
10 subsistence users.

11
12 CHAIRMAN THOMAS: Thank you.

13
14 MR. CLARK: I might add, as a side note,
15 that the last part doesn't matter.

16
17 CHAIRMAN THOMAS: We could have went on all
18 night without hearing that.

19
20 MR. LAITI: Mr. Chairman. Mr. Chairman?

21
22 CHAIRMAN THOMAS: Butch?

23
24 MR. LAITI: As a person on the Taku River
25 belonging to the Douglas Indian Association. The last part
26 has not been settled yet.

27
28 CHAIRMAN THOMAS: Okay.

29
30 MS. GARZA: But it does matter. It matters
31 to them.

32
33 CHAIRMAN THOMAS: Okay. Are we ready to
34 bring it to the Council for action? What's the wish of the
35 Council?

36
37 MS. GARZA: Move to adopt Proposal 40.

38
39 CHAIRMAN THOMAS: You heard the motion to
40 adopt. Is there a second?

41
42 MR. LITTLEFIELD: Second.

43
44 CHAIRMAN THOMAS: Moved and second.
45 Discussion? What are we adopting?

46
47 MS. GARZA: We're supporting Proposal 40.

48
49 MR. LITTLEFIELD: Page 132.

00337

1 MS. WILSON: Mr. Chairman?

2
3 CHAIRMAN THOMAS: Marilyn?

4
5 MS. WILSON: I have a question. Since we
6 don't make a motion to adopt the proposal, we seem to
7 discuss it before we make the motion. So, is all this
8 going to be on record?

9
10 CHAIRMAN THOMAS: That's what that little
11 machine there does.

12
13 MS. WILSON: Okay.

14
15 CHAIRMAN THOMAS: And that's going to be on
16 record, too.

17
18 MS. GARZA: Mr. Chairman?

19
20 CHAIRMAN THOMAS: Dolly?

21
22 MS. GARZA: It's my intent to not vote for
23 the proposal, but I brought it forward according to
24 Robert's Rules.

25
26 CHAIRMAN THOMAS: Does anyone want to
27 reconsider? Okay, you heard the motion. It's been
28 seconded.

29
30 UNIDENTIFIED VOICE: Question.

31
32 CHAIRMAN THOMAS: Question has been called.
33 All those in favor say aye.

34
35 MR. MARTIN: Mr. Chairman, request a show
36 of hands?

37
38 CHAIRMAN THOMAS: Which one?

39
40 MR. MARTIN: On the motion.

41
42 CHAIRMAN THOMAS: On the right hand or left
43 hand?

44
45 MR. MARTIN: Doesn't matter.

46
47 CHAIRMAN THOMAS: Show of hands is
48 requested. Okay, all those in favor signify by raising
49 your right hand.

00338

1 UNIDENTIFIED VOICE: What is -- to vote
2 for?

3
4 CHAIRMAN THOMAS: Yeah. Follow my lead,
5 you guys. Okay, all those opposed raise your hands?

6
7 Motion fails. I want the record to reflect that
8 the Organized Village of Hoonah was a staunch supporter of
9 the request made by Douglas Indian Association. Okay,
10 Mister Bartender?

11
12 MR. CASIPIT: Thank you, Mr. Chairman. My
13 name is Calvin Casipit. I'm the subsistence staff
14 biologist for the Forest Service, Alaska Region. Proposal
15 21 is with the Yakutat fisheries management area.

16
17 MR. ADAMS: Mr. Chairman?

18
19 CHAIRMAN THOMAS: What

20
21 MR. ADAMS: I would like to defer this
22 until tomorrow. Mr. Maloney is not here. He came down all
23 the way from Yakutat to testify.

24
25 CHAIRMAN THOMAS: Why isn't he here?

26
27 MR. ADAMS: I have no idea. I guess he
28 expected maybe this would go tomorrow.

29
30 CHAIRMAN THOMAS: What's the wish of the
31 Council?

32
33 MS. GARZA: Move to table.

34
35 CHAIRMAN THOMAS: Where are you going to
36 move it to? Is there a second.

37
38 MS. WILSON: Yeah, second.

39
40 CHAIRMAN THOMAS: Okay. This proposal is
41 deferred until January 2003.

42
43 MS. GARZA: Mr. Chairman, I move to recess.

44
45 CHAIRMAN THOMAS: Dolly's made the move.
46 We recess until 1:00 o'clock tomorrow.

47 (Indiscernible - simultaneous speech re: starting
48 time)

49

CHAIRMAN THOMAS: Nine o'clock? Do we have

00339

1 to take our stuff tonight?

2

3 MS. GARZA: I don't think so.

4

5 MR. CLARK: No.

6

7 (Off record)

00340

C E R T I F I C A T E

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UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the
state of Alaska and reporter for Computer Matrix, do hereby
certify:

THAT the foregoing pages numbered 119 through 339 contain
a full, true and correct Transcript of the VOLUME II, SOUTHEAST
FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken
electronically by Susan Reilly on the 12th day of October 2000,
beginning at the hour of 9:00 o'clock a.m. in Hydaburg, Alaska;

THAT the transcript is a true and correct transcript
requested to be transcribed and thereafter transcribed by under
my direction and reduced to print to the best of our knowledge
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THAT I am not an employee, attorney, or party interested
in any way in this action.

DATED at Anchorage, Alaska, this 26th day of October 2000.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 4/17/04